on February 16, 1918 commemorated by Americans of Lithuanian origin or descent and their friends in all parts of our great Nation; and

Whereas, the Communist Regime did not come to power in Lithuania, Latvia and Estonia by legal or Democratic process; and

Whereas, the Soviet Union took over Lithuania, Latvia and Estonia by force of arms; and

Whereas, the government of the United States maintains diplomatic relations with the governments of the free Baltic Republics of Lithuania, Latvia and Estonia and consistently has refused to recognize their seizure and forced incorporation into the Soviet Union; and

Whereas, the Committee of the House of Representatives, created by H. Res. 346 of the 83rd Congress to investigate the incorporation of the Baltic States into the Soviet Union, found that the incorporation of Lithuania, Latvia and Estonia was contrary to established principles of international law; and

Whereas, the House of Representatives and the United States Senate (of the 89th Congress) unanimously passed House Concurrent Resolution 416 urging the President of the United States to direct the attention of world opinion at the United Nations and at other appropriate international forums by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Lithuania, Latvia and Estonia and to bring the force of word opinion to bear on behalf of the restoration of these rights to the Baltic Peoples:

Now, therefore, be it resolved, That the Board of Supervisors of the County of Los Angeles respectfully urges the President of the United States to bring the question of liberation of the Baltic States before the United Nations and ask that body to request the Soviet Union withdraw all of its troops and release its control of Lithuania, Latvia and Estonia and return to their homes all Baltic exiles and deportees from prison camps in the Soviet Union; and

Be it further resolved, That a copy of this resolution be forwarded to the President of the United States, Secretary of State William P. Rogers, and United States Ambassador to the United Nations, George Bush.

HOUSE OF REPRESENTATIVES—*Thursday, February 17, 1972*

The House met at 12 o'clock noon.

Rev. John W. Josupait, pastor of Zion Evangelical Lutheran Lithuanian Church, Chicago, Ill., offered the following prayer:

Almighty God, "our help in ages past, our hope in years to come," we beseech You to bless this august body, the House of Representatives, with wisdom and understanding, with love for righteousness and peace, that under their leadership our country may continue to enjoy Your grace and favor.

Eternal God, regard with benign mercy the sufferings and hardships of the people of Lithuania, who are eagerly longing to be free again and grant them the privilege of freedom.

Bestow, Heavenly Father, Your Holy Spirit upon the leaders of our freedom-loving Nation to seek diligently the liberation of Lithuania and other suppressed countries to attain their independence, to insure tranquillity, and to secure the blessings of liberty. In the name of Jesus Christ, our Lord. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 524. Concurrent resolution, National Day of Prayer for cause of world peace.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3122) entitled "An act to extend sections 5(n) and 7(a) of the Federal Water Pollution Control Act, as amended, until the end of fiscal year 1972."

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 596. An act to require that international agreements other than treaties, hereafter entered into by the United States, be transmitted to the Congress within 60 days after the execution thereof.

NO AMNESTY FOR DRAFT DODGERS AND DESERTERS

(Mr. ABERNETHY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ABERNETHY. Mr. Speaker, of late a few weak voices have spoken out suggesting amnesty for draft dodgers and those who have deserted our Armed Forces. Incidentally, I understand that one of those who thinks he is running for President, and possibly another, is advocating such.

Amnesty for these people is simply beyond my understanding. It is unthinkable. Except for a few scattered voices here and there, it is also beyond the understanding of the American people.

I know this has been an unpopular war. No war is popular. It is unfortunate and lamentable that we ever became involved in any war. But once we are involved, there is a duty on the part of all Americans to back the cause of our country to the limit—and at the risk of our individual lives.

During the time of every war there have always been some who desert and some who flee to sanctuaries outside the Nation to avoid duty in the Armed Forces. But thanks to the courage and patriotism instilled in the people of this great Nation, those who desert and flee are few in number.

We are a nation of laws, and laws have been on our statute books since the early days of this Republic which appropriately take care of traitors, deserters, and draft dodgers. Let the law take its course. Indeed, there should be no amnesty for those who do not measure up when our country calls.

In this connection, Mr. Speaker, I include as a part of my remarks, the full text of a letter just received by me from Indianola Post No. 2, the American Legion, Indianola, Miss., as follows:

THE AMERICAN LEGION,
INDIANOLA POST NO. 2,
Indianola, Miss., February 8, 1972.

To Our Senators and Congressmen:

At a regular meeting of the Indianola Post No. 2, American Legion, Feb. 8th 1972, the following motion was made, seconded and passed unanimously:

"The Indianola Post No. 2, American Legion, opposes amnesty for those of Our Armed Forces, who have deserted, from The Armed Forces Of The United States Of America, also, for those who are trying to avoid serving honorably, by going into other Countries.

Also, the Post Officers are requested to advise Our Senators and Congressmen of our actions hereby taken."

Sincerely,

INDIANOLA POST NO. 2, AMERICAN LEGION,
By BOB ELMORE, *Commander.*
CARL B. BETHEA, *Adjutant.*

VIOLATIONS OF RENT CONTROL GUIDELINES

(Mr. WRIGHT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WRIGHT. Mr. Speaker, yesterday I called attention to exorbitant rent increases being charged by at least one large corporate landlord in the Washington metropolitan area. Since that time, my telephone has been kept almost constantly busy with calls from people reporting similiar incidents.

In this morning's Washington Post appears a story written by Bob Woodward in which it is estimated that tenants in at least 120,000 Washington area apartment units will get rent increases of about 8 percent during the next 5 months.

This obviously is far above the 2.5-percent increase at which the rent control guidelines ostensibly were directed.

The Washington Post story is in error, however, in declaring that these unusually large increases are permitted under the regulations only for tenants on yearly leases and that tenants on a month-to-month basis are actually receiving rent increases of only about 2.5 percent.

Some of the cases which had been called to my attention earlier, and many

additional ones reported to me in a very large number of telephone calls I have received since yesterday, involve month-to-month tenants who also have received notices of rent increases of approximately 8.5 percent.

Very obviously, the rent control program is being thwarted on a very wide scale, and large landlords are asking higher increases as a result of the guidelines than they were asking before the program went into effect.

Therefore, something is manifestly wrong in the guidelines and it desperately needs to be corrected if we are serious in our efforts to hold down the cost of living.

THE LATE JOHN R. MURDOCK

(Mr. UDALL asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. UDALL. Mr. Speaker, sadly I bring my colleagues' attention to the death Monday of kindly, scholarly John Murdock, former chairman of the House Interior Committee.

Programs working for America today are the direct result of Mr. Murdock's service in Congress from 1937 to 1953. He has been called the father of the U.S. desalinization research efforts. He played a major role in setting up the Indian Claims Commission. In the Southwest he is well remembered for his work to win adoption of the Navajo-Hopi rehabilitation bill and his leadership on behalf of the Wellton-Mohawk reclamation project in southwest Arizona.

In a sense, Mr. Murdock came to Congress as a candidate of youth or at least youthful memories. He was dean of students and professor of history and political science at Arizona State University when he plunged into the congressional race and defeated eight veteran politicians. They said Mr. Murdock's former students helped elect him.

He was Arizona's only House Member for his first three terms.

Two of Mr. Murdock's textbooks are still basic texts in Arizona schools—"Constitution of Arizona" and "Constitutional Development in Arizona." A study of the State constitution is a requirement for high school graduation, the culmination of an effort led by Mr. Murdock.

Many of you probably know his remarkable wife, Mrs. Myrtle Cheney Murdock, who shared her husband's devotion to history and teaching—she began teaching at age 15.

Her book on the Capitol is regarded as the most authoritative history available. She was one of the leaders in the Capitol Historical Society and was instrumental in originating the Capitol guide program.

When I came to Congress in 1961, John Murdock came quickly to counsel me. I learned much from this dedicated man, particularly in relation to my own service on the House Interior Committee.

Mr. Murdock is gone and those of us who knew him and his works deeply share the sorrow of Mrs. Murdock, their son and their daughter. We can take comfort, though, in knowing that many of his efforts on behalf of the public he served with such dedication are very much alive today.

Mr. RHODES. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to my colleague from Arizona.

Mr. RHODES. Mr. Speaker, I was saddened by the death on Monday of Arizona's former Congressman John R. Murdock. He was a man who served his Nation and his State well and ably during the eight terms he represented Arizona in Congress—first as Arizona's only Congressman, and later as our Member from the First District.

Mr. Murdock's interest in the problems and development of the West led him to leadership in the House Interior and Insular Affairs Committee, where he served as chairman of the Irrigation and Reclamation Subcommittee in the 81st Congress and of the entire committee in the 82d. He will be remembered for the role he played in the establishment of the desalinization research program of the Interior Department and of the Indian Claims Commission. In Arizona, he will be particularly remembered for his work in securing approval of Congress for the Wellton-Mohawk reclamation project and the Navajo-Hopi rehabilitation bill.

John Murdock is also recognized as one of Arizona's outstanding educators. He was a member of the faculty of Arizona State University for 23 years—a fine teacher and professor of history and political science, and, later, dean of students. He also taught during the summer sessions at Arizona's two other colleges—the University of Arizona and Northern Arizona University. As a result of his efforts, the Arizona constitution is now taught in the elementary and high schools of the State, and the textbooks he wrote on the Arizona constitution are still used and well known. In 1960, Mr. Murdock was made an honorary doctor of laws by Arizona State University—an honor he well deserved.

Before he returned to Arizona, Mr. Murdock remained for some years in Washington, and I was privileged to see him rather frequently. I valued our friendship and enjoyed our association. He was always generous in sharing his great knowledge. We spoke often, and I learned much, of the background of the central Arizona project, in which he was vitally interested, from these conversations.

The life which John Murdock lived in Arizona and in Washington was lovingly shared by his wife Myrtle Cheney Murdock, a woman well known in her own right for her research, writings and wide knowledge of the Capitol and Washington. To her and to their children, Rachael Murdock Ellis and John B. Murdock, Mrs. Rhodes and I extend our heartfelt sympathy in their great loss. I hope the knowledge that their grief is shared by everyone who knew John Murdock will be of help to them in their hour of need.

GENERAL LEAVE

Mr. UDALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of my statement.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

THE POSTAL SERVICE—WHEN YOU ARE NO. 2 YOU HAVE TO TRY HARDER

(Mr. HALL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. HALL. Mr. Speaker, it is common knowledge that I am an ofttimes critic of this Nation's Postal Service. It has always been an enigma to me how it got into the confused state it finds itself. However, I think that I have now "stumbled" across a clue that will help solve the puzzle.

This past weekend, the Postal Service delivered unto me a request for a campaign contribution from the Democratic National Committee—I assume they have been forced to use the mail since their 1968 telephone bill is still unpaid.

The letter was addressed to "dear friend" and signed by Lawrence F. O'Brien. Realizing that Mr. O'Brien is a former Postmaster General, I have reached the conclusion that he must indeed be the one who placed the Postal Service in such a state of disarray. Why? Simple—

First. The letter was addressed to an office I have not occupied for 5 years.

Second. The salutation was all wrong—I certainly am no friend of Mr. O'Brien's.

Third. I never contribute to worthless charities.

Now, I realize that the Democrat Party is in desperate straits. My information is that they must pay in advance for office space, and even their poet-laureate has been unable to rhyme his way out of bills unpaid, for 4 years.

While I can offer little more than sympathy for Mr. O'Brien's dire financial position—my calculations are that the Democrat Party's debt figures out to about $1 million per candidate—the only solace that I can offer is this: when you are No. 2, you have to "try harder."

CALL OF THE HOUSE

Mr. CEDERBERG. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. O'NEILL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 43]

Abourezk	Green, Oreg.	Murphy, N.Y.
Anderson, Ill.	Gubser	Myers
Baring	Harsha	Nichols
Bell	Harvey	Obey
Betts	Hathaway	O'Konski
Blackburn	Holifield	Patman
Blatnik	Horton	Pepper
Boggs	Howard	Pike
Bow	Jarman	Price, Tex.
Bray	Johnson, Calif.	Pryor, Ark.
Brown, Mich.	Jones, Tenn.	Pucinski
Burleson, Tex.	Kazen	Rees
Caffery	Keith	Ruppe
Celler	Kemp	Satterfield
Chisholm	Kyros	Scherle
Clark	Landrum	Smith, N.Y.
Clausen, Don H.	Link	Stanton, J. William
Clay	Long, La.	Steed
Collier	Lujan	Stratton
Conyers	McCloskey	Stubblefield
Delaney	McClure	Talcott
Diggs	McCormack	Teague, Calif.
Dwyer	McEwen	Teague, Tex.
Edwards, La.	McKevitt	Thompson, Ga.
Ford, William D.	Macdonald, Mass.	Vander Jagt
Fraser	Mathias, Calif.	Veysey
Fulton	Michel	Vigorito
Galifianakis	Minish	Whalley
Gallagher	Minshall	Wilson, Charles H.
Gettys	Mizell	Zwach
Gray	Morgan	
	Morse	

The SPEAKER. On this rollcall, 338 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ACHIEVING AND MAINTAINING PEACE

(Mr. HÉBERT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HÉBERT. Mr. Speaker, in his appearance before the House Committee on Armed Services today, Secretary of Defense Mel Laird began his presentation of the annual Defense Department report by stating:

> This 1972 Defense Report is about peace: How to achieve it and how to maintain it.

This positive approach is evident throughout the sound, balanced program Secretary Laird has presented to us. Every aspect of this program is in furtherance of President Nixon's objective of a generation of peace.

As the war in Vietnam winds down and the Defense Department moves toward an all-volunteer force, Secretary Laird speaks of total force planning to implement the strategy of realistic doctrine deterrence. He has detailed our defense requirements under the Nixon doctrine which include a force structure predicted on the total force concept—an integrated force comprised of the active military establishment, an effective Reserve and National Guard as well as the forces of our allies.

I commend Secretary Laird for his fine report, "National Security Strategy of Realistic Deterrence," and encourage all of you to study it carefully. In my opinion, it presents a completely realistic budget.

THE ECONOMIC OPPORTUNITY ACT OF 1964

Mr. PERKINS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 12350) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 12350, with Mr. ROONEY of New York in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from Kentucky (Mr. PERKINS) had 7 minutes remaining and the gentleman from Minnesota (Mr. QUIE) had 16 minutes remaining. The Chair recognizes the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. ESCH).

Mr. ESCH. Mr. Chairman, the first 5 years of a child's life are crucial in his intellectual and social development. It is now generally accepted by experts that over one-half of a person's ability to learn is already settled before he enters the traditional school system in kindergarten. This fact has obvious and far-reaching implications as we study means of equalizing educational opportunity for all students. Clearly, where a child comes from a deprived home, it is important to reach him early if he is to develop to his full capacity.

At the same time, there are increasing pressures in society for mothers to leave the home and earn a living—either through necessity to supplement the family income or through choice to continue her profession.

As a result of these two separate developments, there has been an increased realization that early child care facilities in this Nation are inadequate. Few facilities exist; many provide only physical watchcare with no attention to the developing needs of children; those which do provide educational programs are often inordinately expensive and out of the reach of working-class families.

Because of all these problems, I have long believed that an early child care program should receive the attention of the Congress and the Nation. I worked as a member of the Education and Labor Committee on child development legislation and supported the child development amendment to the OEO bill when it came to the House. That legislation was vetoed by the administration primarily for administrative reasons. I frankly felt that the pressing need for the program outweighed the slight administrative difficulties and was deeply disappointed when the veto was upheld.

Now the committee has reported new legislation—once again connecting the child care problem to the extension of the entire Office of Economic Opportunity. This time however, instead of working on the broad needs in the field of child development, the bill includes only an expansion of Headstart. While Headstart has been a useful program, it seems clear to me that to expand it will only result in further fragmentation of our early child programs and will further institutionalize its faults of duplication, excessive administrative costs, lacks of paraprofessional training and research programs, and noncoordination.

I strongly fear that the Congress will, by accepting this partial answer, ignore the broad needs which exist in the field of early childhood education. I fear that acceptance of this bill will result in yet another instance where the promise of Federal rhetoric will vastly exceed the practical results of the program and leave us, once again, with overpromise and unmet needs.

I believe that the House should delete the additional funds for Headstart programs within this OEO legislation and should then get on to the task of approving separate legislation which can truly meet the needs of the Nation and its children.

An equally important aspect of the legislation we are considering today is the question of legal services.

I support the committee action in approving title X of H.R. 12350 which creates a National Legal Services Corporation. The National Legal Services Corporation has sought to administer a program of providing comprehensive legal services to the poor through locally administered and controlled grantees. The legal services program has sought to protect the independence of its lawyers and the traditional lawyer-client relationship. The American Bar Association gave its support to the program in 1965 after it received assurance that the program and its lawyers would not be subjected to influences which would alter these traditional and important ethical considerations.

The need to protect independent advocacy combined with professional dictates to be free of outside sources of pressures resulted in the establishment of a National Advisory Committee for Legal Services. This committee would give the Director of OEO and the Association Director for Legal Services the advice and guidance necessary to develop a policy position. The committee is made up of leaders of the professional bar, and legal experts who see to it that the program is conforming to the professional dictates necessary for an organization representing citizens across the country. The program is, however, only serving about 20 percent of the need for legal counsel.

The transfer of the Legal Services Program to the Corporation was recommended by the President's Committee on Executive Organization. The implementation of the Corporation gives the program greater independence, but the need for accountability must also be considered. It is my view that the present title X creates a Corporation more accountable to these various interests than either the original bipartisan or administration bills. It provides that the President nominate all members of the Board in establishing the initial and subsequent Board of Directors, with the advice and

consent of the Senate. H.R. 12350 provides for the submission of lists of possible candidates by the five national bar associations and other interested legal organizations.

The process insures that the bar, the clients, and project attorneys will be involved in the selection process, but the President has nearly complete flexibility and discretion in these 11 nominations. The delicate balance between accountability and independence has been attained with the involvement of the various constituent groups in this program.

We have within our grasp the opportunity to help those who are truly in need. The independent Legal Services Corportation in my view is a fitting and proper instrument.

Mr. QUIE. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. THOMSON).

Mr. THOMSON of Wisconsin. Mr. Chairman, I take this time to direct a question to the chairman of the committee, the gentleman from Kentucky (Mr. PERKINS). I notice in section 241 of the 1967 act, subsection (b), the following language appears:

> The Director shall establish criteria designed to achieve an equitable distribution of assistance under this title within the States between urban and rural areas.

An equitable distribution is required—but I have discovered that in the State of Wisconsin, for instance, in the great urban area of Milwaukee under this program, they receive $2.56 per capita. In southwestern Wisconsin in three community action programs covering 12 counties they receive $1.06 per capita. In all of the categories, such as unemployment, the urban area unemployment is 4.3 percent, while in the 12 counties in rural Wisconsin the unemployment runs from substantial to persistent, much greater than it is in the urban area, but the urban area gets $2.56 per capita, and the rural poor get $1.06 per capita. In the category of low income families, in the urban area such families amount to from 2 to 15 percent, but in the rural areas they amount to from 15 to 50 percent.

It seems to me if this pattern exists throughout rural areas of America, the rural poor are being badly discriminated against in the operation of this program.

My question is: What oversight is the gentleman's committee taking to assure that the policy of this act, to create an equitable distribution between urban and rural areas, is being carried out?

Mr. PERKINS. If the gentleman will yield, first let me elaborate a little on the gentleman's statement. The gentleman is, in my judgment, correct, that there has been gross and unnecessary discrimination against the rural poor and the poor people of this country. I represent a rural area and I have observed that all the departments of government are discriminating against the rural poor of America.

I do want to state that the gentleman from Minnesota, Congressman QUIE, and I have, in every bill that came before the committee tried to work out an equitable formula for the rural areas. In this bill, in the commitee bill, we have an amendment to insure equitable distribution of funds:

> Consistent with the provisions of this Act, the Director shall assure that financial assistance under this title will be distributed on an equitable basis in any community so that all significant segments of the low-income population are being served.

Over a period of years we have tried to get some assurances from the Director of the Office of Economic Opportunity that they would look with more favor on the rural poor in America, but they continue to overlook the rural poor. It is really a difficult task to try to nail down a fixed formula, that adequately protects all the poor, rural and urban.

So we have tried to cope with this problem by stating that the distribution must be made on an equitable basis in any community so that all segments of the poor involved will receive an equitable share.

Mr. QUIE. Mr. Chairman, at this time I have no requests for time.

Mr. PERKINS. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Texas (Mr. FISHER).

Mr. FISHER. Mr. Chairman, I rise in opposition to the passage of H.R. 12350, a bill which would extend the life of the Office of Economic Opportunity—OEO—for 2 years, at a total cost of $5.3 billion.

This program has from its inception been largely a failure. Experts insist that at least three-fourths of OEO expenditures have not benefited the poor. It will be recalled that 3 or 4 years ago the General Accounting Office, at the request of a congressional committee, made an in-depth study of OEO's various programs, and found very few pluses in its favor. The report, for example, found the Job Corps to have been far too expensive and the results very dubious. This program, which trains dropouts, has spent upwards of $10,000 per year on each of them.

OEO'S OBJECTIVES

It will be recalled that the so-called war on poverty was projected from its inception as a sort of panacea—a Great Society answer to welfare, crime, and the dole. When the project was created 8 years ago President Johnson said:

> In addition we can make important reductions in public assistance payments which now cost us $4 billion a year, and in the large costs of fighting crime and delinquency, disease and hunger.

It happens that I was one of those who opposed OEO then, and I have opposed each extension. Time and experience have vindicated my judgment.

What has happened since OEO was created in 1964? What about welfare rolls which the President then said would, as a result of OEO, be reduced? The record speaks for itself. Since 1964 welfare costs skyrocketed from $5.4 billion then to more than $20 billion in 1972. The relief rolls instead of being reduced have more than doubled. Only recently an HEW official, John Twiname, announced that the national welfare costs jumped 27 percent last year and relief rolls increased by 17 percent. This was for only 1 year.

It must be conceded, Mr. Chairman, that the $15 billion OEO programs have not made a dent in reducing poverty in this country.

EXAMPLES OF EXTRAVAGANCE

Mr. Chairman, there have been literally scores and scores of reported instances of OEO waste, extravagance, and even fraud, corruption, and favoritism.

As an example of irresponsible spending, let me cite the case of a $502,000 grant by OEO to the Crystal City, Tex., school system. This one school, for reasons that have never been made clear, was singled out for an experiment in spending tax money, supposedly to help the poor.

It is of interest to note that the elected president of the school board at Crystal City is one Angel Guiterrez, a well-known radical agitator and a dominant figure in the school system. Not long ago he was a joint author of a publication which included one of his speeches and a list of books and pamphlets, along with prices and the address of the publisher where they could be purchased. Here are some of the list recommended by Guiterrez:

"Those who are not Revolutionary Fighters cannot be called Communists," by Fidel Castro;

"The Youth Movement and the Alienation of Society," by Jose Revueltas;

"How To Make a Revolution in the United States," by Peter Camejo;

"Fidel Castro's Tribute to Che Guevara";

"Women and the Cuban Revolution," by Fidel Castro;

"How Cuba Uprooted Race Discrimination," by Harry Ring;

"A New Stage in the Advance of Cuban Socialism," by Fidel Castro;

"Che Guevara Speaks—Selected Speeches and Writings."

The press reported last fall that during halftime activities when Crystal City Javelins were playing an opposing football team, the juniors and seniors in the band marched and formed a clenched fist—one of Castro's favorite symbols of Communist strength. This incident occurred more than once.

Mr. Chairman, I mention this only to reval that OEO chose to subsidize this one school system in the entire Southwest—picked it from scores of others—with a whopping $502,000 grant.

When I learned of this boondoggle I lodged a protest. I called it to the attention of the chairman of the House Committee on Labor and Education. I called on OEO for an explanation. But my protests were in vain.

Scores and scores of handouts, equally as questionable, have been recorded. I recall one good one—where a sizable grant was announced by OEO to a legal service project in the State of Maine. Reporters tried in vain to locate and identify the recipient, but learned it was not in existence. A lawyer had hatched the idea, made an application for a grant which was approved before his legal

agency he envisioned was given legal life. After exposure the grant was canceled.

Mr. Chairman, much of the blame for OEO's irresponsible spending is in the Congress. That agency has been given blank check authorizations to spend money and make grants for almost any conceivable purpose, with few strings or guidelines attached. There have been many indictments for fraud and malfeasance. The press has reported money in considerable amounts has disappeared, with no record of what became of it. OEO money has gone to finance the Black Panthers and other radical groups. And many instances are on record where OEO money has been contracted to organizations formed by former OEO personnel.

The time is long overdue for OEO to be eliminated. Any of its functions which are known to be beneficial and in the public interest can be transferred to other agencies. The American people are entitled to better treatment of their tax money, at the hands of the Congress.

It is time we reform welfare programs and limit assistance to those really in need who cannot help themselves. In the guise of "helping the poor" welfare has become a hodge-podge. The Senate Finance Committee recently found there are 168 different Federal programs designed to help the poor. The gentlewoman from Oregon (Mrs. GREEN) found that more than $42 billion a year, at all levels of government, are being spent to help those in need, not including social security.

What is needed is a housecleaning in the field of welfare, and a revised program which would limit welfare assistance to the really deserving. In that way those in need could be better cared for and the undeserving would be removed from the rolls.

As I see it, whether in the form of food stamps, commodities, aid for dependent children, or otherwise, welfare in this country should be strictly limited to the elderly, the infirm, the blind, the disabled, orphans, and children whose parents are disabled.

Mr. PERKINS. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, the committee has worked hard and long hours in trying to improve this legislation.

A 2-year simple extension of the Economic Opportunity Act plays directly into the hands of those whose ultimate goal is to disseminate and destroy the poverty program. Our responsibility is to make improvements in programs as well as to extend them. To simply extend the poverty program without the beneficial changes proposed in the committee bill continues programs, but also continues the weaknesses, and makes the Office of Economic Opportunity even more vulnerable to its critics whose aim is to destroy.

The proponents of the simple extension argue that we should not at this time expand the Headstart program as is proposed in the committee bill. Let me remind my colleagues that the proposed authorization of $500 million for fiscal year 1972 is in fact $78 million less than was authorized during the last fiscal year for Headstart programs. My colleagues should understand that the 2-year simple extension therefore represents a backward step legislatively with respect to the needy children of this country. The committee bill does not represent an expansion of authorization for fiscal year 1972. For fiscal year 1973, the proposed authorization still falls far short of the need. This was adequately demonstrated in our hearing record and during our debate on the floor yesterday.

During the last few months, there was almost a daily concern expressed here on the floor with respect to the plight of older Americans, particularly the elderly poor. Approval of a 2-year simple extension will result in no greater movement toward meeting the needs of the elderly.

To the contrary, the committee bill requires a more equitable distribution within the community of Federal assistance provided under the Economic Opportunity Act and this amendment is intended to better serve the elderly. Likewise, the committee bill proposes a new rural housing development and rehabilition program which will be of substantial assistance in alleviating housing problems of low income elderly persons in rural areas.

One of the most problematic poverty programs has been that of legal services. I remind my colleagues that a simple 2-year extension will continue that program in its present form, one which so many have found objectionable. The only reasonable way to meet this issue is to do as proposed in the committee bill and establish the Legal Services Corporation. The debate yesterday revealed that even some of those who support a simple extension agree that there are many improvements in the legal services program which will be brought about through the committee legislation. We should not allow those improvements to be lost, as will be the case with a simple 2-year extension.

As we have heard concern expressed from day to day with respect to the elderly, so too has there been widespread and deep interest in environmental problems and action to strengthen and expand environmental legislation. The committee bill but not the substitute will establish additional Federal resources for combating pollution and improving the environment.

Mr. CLAY. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 44]

Abourezk	Bray	Coughlin
Addabbo	Brown, Mich.	Delaney
Anderson, Ill.	Buchanan	Dickinson
Archer	Burleson, Tex.	Diggs
Ashley	Caffrey	Downing
Baring	Cederberg	Drinan
Bell	Celler	Dwyer
Bergland	Clark	Edwards, La.
Betts	Clausen, Don H.	Evins, Tenn.
Blanton	Clawson, Del	Fisher
Blatnik	Collier	Fraser
Bow	Conyers	Frelinghuysen
Fulton	McCloskey	Scott
Gallagher	McClure	Selberling
Gettys	McEwen	Shriver
Giaimo	Macdonald, Mass.	Skubitz
Gray	Madden	Smith, Calif.
Green, Oreg.	Mathias, Calif.	Smith, N.Y.
Gubser	Michel	Stanton, J. William
Halpern	Minshall	Stanton, James V.
Harvey	Mizell	Steed
Hastings	Monagan	Stratton
Hébert	Morgan	Stubblefield
Holifield	Morse	Talcott
Horton	Myers	Thompson, Ga.
Jarman	Nichols	Vander Jagt
Johnson, Calif.	Obey	Veysey
Johnson, Pa.	O'Konski	Vigorito
Jones, Tenn.	Patman	Whalley
Kazen	Pepper	Wilson, Bob
Keith	Pike	Wilson, Charles H.
Kemp	Price, Tex.	Winn
Kyros	Pryor, Ark.	Zwach
Landrum	Pucinski	
Leggett	Roy	
Link	Satterfield	
Long, La.	Scherle	
Lujan		

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROONEY of New York, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 12350, and finding itself without a quorum, he had directed the roll to be called, when 324 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the distinguished gentleman from Kentucky had 1 minute remaining.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I wish to inquire whether the stalling is over for the afternoon; whether it is planned to proceed with the bill?

Mr. PERKINS. Let me say to my distinguished colleague that I know nothing about any stalling, but we are in the Committee of the Whole House on the State of the Union, and as far as I know we are going to proceed.

Mr. GROSS. May I substitute "reluctant" for "stalling" then?

Would that help the gentleman?

Mr. PERKINS. No. We are very eager to proceed expeditiously.

Mr. RAILSBACK. Mr. Chairman, as a cosponsor of legislation to establish a National Legal Services Corporation, I rise in favor of title X of H.R. 12350.

Equal justice under law is one of the pillars of American democracy. Access to the legal system must be available to all; discrimination on any grounds is the antithesis of our constitutional principles and cannot be accepted. For all too many years, Americans were denied legal services and access to our judicial system, because they were poor. The legal services program, established by Congress in 1966 as part of the Office of Economic Opportunity, has done much to eliminate this discrimination.

Under this program, advice, counseling, education, representation, and other legal services have been provided to individuals who would otherwise have been unable to afford them. This past year, over 1 million poor Americans were represented by ap-

proximately 2,000 legal service lawyers in 900 neighborhood law offices. This is double the caseload of just 2 years ago, and indications are the trend will continue so that we may yet see equal justice under law become a reality. The legal services program has proven its value and effectiveness. It has led the attack on one of the root causes of poverty: the inequality of opportunity which exists between the rich and poor. The program has been vital in giving poor people the hope and confidence that our legal system protects and serves each and every American. It has provided the channel through which the poor have been able to seek recourse for their grievances and in so doing has led to the development of a new body of law which is more responsive to our democratic traditions.

Despite its successes, the legal services program does need reform, most notably in removing it from the executive branch and from partisan political pressures. We are all too familiar with the controversies the OEO legal aid program has been involved in since its inception. It has, many times with good reason, raised the ire of powerful individuals and interest groups in representing its clients. It has also, however, at times been guilty of going too far into criminal litigation and representing causes rather than clients. There is widespread support for the approach adopted by this legislation, that of an independent corporation that will allow the program to continue to serve the legal needs of the poor while avoiding the inevitable political conflicts that the program has occasionally generated. As the committee report states:

> The Legal Services program will be more effective if independent from the executive branch of Government. The Committee strongly believes that a private, non-profit corporation can assure this program's independence from political attacks, the integrity of the lawyer-client relationship, and the professional independence of Legal Services attorneys.

In addition to independence, the provisions of title X provide for effective accountability to Congress, the President, and the professional bar, as well as to the primary concern of the program, the client community. The President nominates all members of the Corporation's Board of Directors and the Senate must confirm these nominations. Although the President may reject and request as submitted by the five national bar associations and the advisory committees of project attorneys and clients, the President may reject and request as many lists as he wishes. Furthermore, the bill provides for full GAO audit, independent audits, a 2-year authorization, annual appropriation authority, annual reports to both the President and Congress, and full access by the President or his representative to all records and documents of the Corporation. In addition, there are provisions requiring adherence by legal aid attorneys to the canons of ethics and code of professional responsibility of the ABA.

Title X represents a meaningful compromise. The future of legal services—its effectiveness and integrity in making the promise of equality under the law a reality for millions of Americans—is the question the Congress now faces. I therefore urge my colleagues to support the committee version of the National Legal Services Corporation.

Mr. RONCALIO. Mr. Chairman, I am happy to record my support for the bill which is before us today—H.R. 12350, the Economic Opportunity Act Amendments of 1972. It has been a long time, now, since our minds were thought to have been "permanently made up" on the issue of ridding the American people of the riddle of dire poverty in the midst of plenty. Of course, as in all matters, minds are never permanently made up, and in this case the American people have had to view the sad prospect of an unconditional war against poverty degenerating into something termed "benign neglect."

Last year, the President saw fit at last to veto the Economic Opportunity Act in toto. Since then, OEO has been forced to operate on a continuing resolution passed by Congress. This might be nothing but another minor, bureaucratic tragedy, the likes of which this Federal Government should perhaps see more, were it not for all the little people who depend for their well-being on the services of OEO.

Mr. Chairman, my mail that has been coming in from some of these people, as well as my concern that they will now begin to get a fair shake at the hands of a Government that is theirs too, compels me to speak on behalf of this measure. Surely, all of us have quibbles and qualms with some of the portions of this bill. No bill is perfect. If they all were, then the purpose of Congress might be consummated in a far shorter time each year than it is.

But the basic purpose of the OEO Amendments of 1972 is as it should be in a republic that also calls itself democratic—to raise up the weak, to give opportunity to the disadvantaged. Some things have been changed about this measure since it was last vetoed. Not only the children of the poor but also the children of the secure will receive the benefits of Headstart, and that, to my mind, is as it should be. But the feature about the bill which lies closest to my heart is that, unfortunately, which will also be most disputed—title X, which sets up a private nonprofit corporation to provide legal services to the poor.

Mr. Chairman, toward the beginning of the present administration, a great to-do was made about the formation of a private nonprofit corporation designed to handle our mail, the U.S. Postal Service. But in this country is our only criterion for progress efficiency? Do we do for the relatively well-off, who most use the mail, what we will not, shall not do for the poor?

The poor also require such a private nonprofit corporation to handle their needs. The poor must have freedom from political interference in their private affairs just as much as the rich. The poor deserve a lawyer-client relationship which entails the same "canons" of professional responsibility as is enjoyed by those with money to hire the top lawyer in this or any other town. To deny them this would not only be to deprive them, in my view, of a very basic right; it would also be to deny our whole society some of the means—the legal means—which we the people must have to progress toward orderly change.

So I support passage of this bill. It is one thing we must do for people in this country.

Mrs. GRASSO. Mr. Chairman, a recreation and sports program for disadvantaged youth is one of many valuable programs included in H.R. 12350, the Economic Opportunity Act Amendments. This legislation instructs the Secretary of Health, Education, and Welfare to make grants for programs to provide sports training and athletic competition, competent instruction, supervision, and superior facilities for underprivileged young people who could not otherwise have such a valuable experience. Participants will also receive a medical examination, a daily meal, health education, counseling in study and career opportunities, and in drug abuse prevention.

A similar program has been funded through OEO for the past 3 years and administered by HEW through the President's Council on Physical Fitness and Sports and the National Collegiate Athletic Association. In 1970, 98 projects had 45,000 participants for the summer. The contributing institutions and local authorities provided 46.6 percent of the costs in 1970.

On September 16, 1971, I introduced legislation to create a national summer youth sports program on a permanent basis within the Department of Health, Education, and Welfare. In mid-October, I reintroduced this bill with 41 cosponsors from both sides of the aisle. In the past this program has provided a useful and productive outlet for youthful energy and talent. It has also received an enthusiastic response and strong support from local authorities.

I am pleased that the provisions for a summer sports program have been included in H.R. 12350. It is my sincere hope that Congress will insure a meaningful experience for many disadvantaged youths in the years ahead.

Mr. ROSTENKOWSKI. Mr. Chairman, today the House will consider the Economic Opportunity Act Amendments of 1972. Included in the amendments is a proposed addition to title II of the act which would create, within the Office of Economic Opportunity, a youth recreation and sports program to provide disadvantaged youth with recreation and physical fitness instruction during the summer. This program would be administered by the Secretary of Health, Education, and Welfare.

For the past three summers the NCAA—national summer youth sports program, with funds supplied by the OEO, has enabled thousands of young men and women of disadvantaged communities the opportunity to engage in vigorous sports activities on many col-

lege and university campuses. In 1971, over 100 such institutions in 35 States and 66 cities participated in this excellent program. This proposed amendment to title II will not only make an extremely realistic and successful program permanent, but it will expand it, making use of "other qualified nonprofit organizations active in those fields which have access to appropriate recreational facilities."

Mr. Chairman, although I have continually spoken out against the proliferation of summer recreation programs that have caused application confusion, service duplication and administrative waste, I believe this summer sports program has proved itself to be worthy of our support. In my city of Chicago, during the summer of 1971, hundreds of disadvantaged youths participated in these NCAA–NSYS programs on four local campuses. By utilizing sports facilities and faculty expertise that would otherwise have gone untapped during the summer months, these young people were given the opportunity to enjoy a quality recreation experience—an experience that is essential to any successful recreation program.

The enactment of this legislation will hopefully once again enable many of Chicago's disadvantaged youth to participate in scheduled athletic activities this coming summer. I commend the Education and Labor Committee and its able chairman for their efforts to make this program a permanent part of our national summer recreation scheme.

Mr. CLAY. Mr. Chairman, I have some specific remarks regarding section 6(c) of this bill. I join with what is, I am sure, a majority of this body in support of attempts to involve more people in the effort to improve the quality of the environment. Given the fact that most of the Nation's poor are forced to live in the worst possible environment—where the problems of air and water pollution are compounded by garbage, rats, and filth, and where the physical surroundings are frequently old or dreary or both—it is particularly fitting that some attempt be made to assist these Americans in their efforts to make their surroundings more pleasant. What concerns me, though, is that the provision in 6(c), as it is now written, may operate to the detriment of public employees. That is certainly not the intention of the committee or its chairman, but it appears that that is the way the bill may operate in fact.

Is section 6(c) intended to provide a mechanism for replacing municipal employees or reducing the numbers of job openings in the public sector in the categories mentioned in this section?

What safeguards are there in the bill, as it is now written, to prevent State or local governments from replacing their employees with people hired under this section? Similarly, what provisions are there to insure that people so hired will be hired in addition to, not in place of, people who would otherwise have been employed in these fields?

What guarantees do people hired under this section have that they will receive the same treatment with respect to salary and benefits that is accorded to other employees in these fields? What guarantees do people already employed in these fields have that the persons hired under this section will not receive preferential treatment?

It seems to me that all of these questions need to be answered and that where the answers indicate shortcomings in the legislation, the bill should be amended to remedy these shortcomings.

Mr. CONYERS. Mr. Chairman, on December 9, President Nixon chose to veto one of the most effective pieces of poverty legislation to come along in years—the $6.3 billion 2-year Office of Economic Opportunity extension. His objection, amazingly, was based upon the inclusion of a comprehensive child development program. This legislation would have provided a broad range of educational, nutritional and health services for preschool children. Children of poor families would have been eligible for free services and children of middle-income families would have been charged a fee based on their ability to pay. Besides these many health and educational services, the child development provisions would have allowed women on welfare the opportunity to care for their children as well as free them to enter the labor force. It was landmark legislation which would have taken great strides toward eliminating poverty. The President's veto of this bill which would have dealt realistically with poverty calls into question the depth and seriousness of his commitment to eliminating "the paradox of poverty in the midst of plenty in this Nation."

The Office of Economic Opportunity is at least one example that our Government has committed itself to dealing with the very serious problems which economic deprivation has reeked on millions of our citizens. While at present levels the OEO does not adequately meet the needs of our Nation's poor, it has managed, at least, to reach 11 million of the 24 million people below the "official" poverty line. Many millions more still remain to be reached.

OEO is one of the few indicators that the Federal Government is committed to fighting poverty. Failure to continue it would remove governmental attention from the needs of the poor, a focus which is mandatory if we are to be successful in our fight.

Failure to extend the programs administered by OEO would destroy what small progress has been made in combating poverty, by providing community health centers, family planning assistance, in fighting growing drug addiction, and in embracing thousands of the aged poor, the fastest growing segment of our population. Any reduction in actual program levels—especially given the dollar reduction—would be unthinkable at a time when the number of poor is on the increase.

Failure to extend the OEO authorization would strike hard at the black community which already has a disproportionment unemployment rate. In some urban centers, in the black community, unemployment is as high as 10 percent. Some estimates indicate that nearly 42 percent of black men between the ages of 18 and 22 are out of work. These are the people who would suffer most if the OEO authorizations are not extended, the people who vitally need the manpower training and job placement services which OEO provides.

The Nation's poor are most susceptible to crime and the abuses of the judicial and penal systems. This is particularly true of the black poor. But, poverty and physical isolation from the mainstream of American life deprive them of adequate, not to mention competent, legal representation. There is an alarming need for good legal services for the poor. Failure to extend OEO would destroy a growing facility which is just beginning to expand, whose caseload is expected to double this year over 2 years ago.

I therefore urge every colleague remotely concerned with reducing poverty throughout this Nation to support this legislation on final passage. It is a modest proposal which is a step in the right direction and one which even the President should be able to support.

Mr. DONOHUE. Mr. Chairman, the measure that we are dealing with here represents an original, historical legislative effort to coordinate the resources of Federal, State, and local governments, and private agencies to progressively eliminate the causes of poverty and to extend hope and encouragement to the despairing millions of young, middle-aged and old poor people in this country.

The objectives of the legislation are unquestionably good and I think a fair examination of the record will show that the progress towards them has been steady.

From the beginning, Mr. Chairman, I think that the very great majority here realized that the war against poverty would not be won overnight and reasonably expected that some weaknesses and deficiencies would occur.

However, over the past several years, the programs have been constantly monitored and both the executive department and the Congress have exercised persistent efforts to reduce and eliminate those that have demonstrated their ineffectiveness.

I think that an impartial examination of the record would show the great measure of help and hope that has been extended to the poor in this country through the operation of such worthy programs as Headstart; the Job Corps; the Neighborhood Youth Corp; Mainstream, to particularly encourage our older citizens who urgently need it today; Legal Services; community action; drug rehabilitation; the promotion of employment opportunities for our veterans; health services; enlisting our unemployed poor to help in controlling pollution and many other wholesome activities that truly serve to help the poor to help themselves and that truly serve to renew their trust in their Government and their fellow Americans.

I would hope and urge, therefore, Mr. Chairman, that our actions on this pending measure will not result in any sub-

stantial weakening of the wholesome impact of these programs upon our more unfortunate citizens nor stifle the hope that has been kindled in their minds and hearts. On the contrary, Mr. Chairman, I would very earnestly hope that our actions here this afternoon will very clearly reflect the convictions of the great majority that these wholesome programs are more imperatively needed in this recession-inflation period than ever before and that in fact, in some areas such as Headstart and others, they should be strengthened.

I should also like to emphasize, Mr. Chairman, as I have before, that these programs are not in any sense designed or intended to initiate any system of perpetual care. Their only purpose, in origin and continuation, is to enable our poor citizens and families to progressively improve their economic status so that the programs themselves can be gradually reduced and eventually eliminated.

Over these past two and a half decades we have committed, as we are still committing, a tremendous measure of our American resources for the betterment of people in foreign lands. It would appear that we are even now on the verge of extending that commitment and to more foreign areas of our concern. However well and good and opportune that may be I still believe that our primary legislative interest and obligation is still, and ever ought to be, the development and progress of our own people and particularly our poorest people. We have the opportunity today to demonstrate the primary obligation and I earnestly hope that we will by resoundingly approving the strengthened substance of this bill.

Mr. BADILLO. Mr. Chairman, House consideration of the Economic Opportunity Amendments of 1972, which include an important and innovative legal services program, seems to me an appropriate time to comment on the issues raised by Vice President Agnew's recent intervention in the operation of a legal services program in Camden, N.J., and his implied threat to cut funds for that program.

In my view, the Vice President's unwarranted interference strengthens the argument for an independent National Legal Services Corporation, such as is authorized by the legislation before us.

The legal services program is based on the concept of equal justice under law. That concept, one of the most basic to our Nation, requires that low-income persons must have the same access to justice, enjoy the same rights and privileges, and bear the same responsibilities as those of greater affluence.

Somehow, men like Vice President AGNEW and Governor Reagan see this as a threat to their political power. They deeply resent the idea that the poor should be able to bring public officials and public bodies before the bar of justice as a means of redressing grievances. The implication of this attitude is that public officials are somehow above the law, that they are accountable only through the ballot box and not through the judicial process.

This attitude is nothing more than the arrogance of power. It is but one factor in the growing alienation of millions of Americans from our system of government and it can serve only to encourage those who advocate violence.

Mr. AGNEW's argument is that elected officials represent the majority and are, therefore, responsible only to that majority. This is a dangerous distortion of the basic principles on which our Nation was founded. Certainly, majority rule is a cornerstone of American democracy. But it is no more important or basic that the precept which holds the majority—and those elected by the majority—responsible for protecting the rights of the minority.

The legal services program which has been administered by the Office of Economic Opportunity is but one means we have adopted to protect minority rights—the rights of the poor and the disadvantaged to have full and fair access to our legal process. Under this program, attorneys have given quality legal representation to many thousands of individuals and families and have made great strides in clarifying the rights of these Americans under welfare, housing, education, and consumer laws.

Let us all be very clear about one essential fact: The legal services program is not a political action program. It is merely a means by which we are carrying out the principle that a poor person should have the same access to legal counsel as a person of greater means. There is no place for political interference in this program or in the lawyer-client relationships it establishes. The attorneys working in this program are not representing the Government; they are representing the interests of their clients.

The legislation before us is vital if we are to protect against the kind of political interference and manipulation attempted by the Vice President and the Governor of California. If we really believe in the Constitution and the oath of office we have taken to uphold it, we will enact this bill and the legal services provision intact.

Mrs. ABZUG. Mr. Chairman, I rise in support of H.R. 12350, which would extend for 2 years the Economic Opportunity Act of 1964, make some needed improvements in the Headstart program, and create an independent National Legal Services Corporation.

Let me state at the outset that I am sorry that we must be considering this bill today. As you all know, a bill far superior to this one, including a comprehensive child development program, was passed by the last session of Congress but was callously and senselessly vetoed by President Nixon. And so we are trying again, though this time we have in the beefing up of the Headstart program only a shadow of the promise which the child development title held.

The bill before us authorizes appropriations of $2.3 billion for the current fiscal year and $3.0 billion for the coming fiscal year. Regrettably, these sums are less than those contained in the vetoed bill and far less than the kind of funding that OEO should be getting. According to Frank Carlucci, the former Director of OEO, the agency's programs are reaching only about 11 million of the 24 million Americans which the administration admits live below the poverty line; furthermore, even those individuals who are being reached are hardly receiving adequate assistance from these underfunded and undermanned projects.

It is shocking and almost incredible to note that in the wealthiest nation in the world—a nation which is sworn to eliminate poverty within its borders—the number of poor persons actually increased 5.1 percent in the years 1969 and 1970. Just in case percentages are not impressive to you, that means that well over 1 million individuals fell into poverty during that brief period.

HEADSTART

Although the bill does not include a comprehensive child development title, it would considerably improve the existing Headstart program. At least 1.6 million children need Headstart today, but we are serving the needs of only one out of five of these children. In a national survey, the figures reveal that only 159,485 of the 782,288 eligibles are being served. In 1970, only 89,000 children took part in full day programs, at a cost of $107 million. With $500 million authorized in fiscal 1972, and a full billion for fiscal 1973, the program will reach hundreds of thousands more children if the entire amount is appropriated.

I take issue, however, with the proposed fee schedule. As it is set forth in the bill, families with incomes of $4,320 would participate in the program without charge, while families with income between $4,320 and $6,960 would be charged a maximum of $317.

The family income figures could and should be considerably increased; at a time when the "lower living standard" of the Bureau of Labor Statistics is pegged at $6,960, we should not be levying any charges on families whose income is lower than that figure.

In any event, I fervently hope that all of the money authorized will be appropriated, and that all the funds appropriated will be spent. We must be on guard to prohibit the Office of Management and Budget from withholding it.

Children are this country's most precious resource. We cannot ignore the plight of those born into low-income families. We have an affirmative responsibility to provide the tools for their growth and development. We must not fail them the way the Nixon administration has failed them.

LEGAL SERVICES

I am pleased to see that this bill retains the concept of an independent National Legal Services Corporation. More than 1,000,000 clients were served by the OEO legal services program in 1970. All of these men and women were too poor to afford hired counsel, and would have been denied "equal justice under law" had the Federal Government not addressed itself to their problem by establishing a national legal services program in 1964. No one in this country should be denied the exercise of his or her legal rights because he or she cannot afford a lawyer. Legal services lawyers are committed to seeing that justice is done, and

have worked long and hard in providing aid to the poor.

However, as recent events with Mr. AGNEW in Camden have demonstrated, the legal services system as it is now constituted is at the mercy of politicians and bureaucrats who have a gross lack of understanding about the goals and mechanisms of the program. The nonprofit corporation concept alleviates the problem of political interference by severing the legal service system from the executive branch, and making it into an independent body, governed by a board of directors chosen by the President, part at large and part from lists submitted by various respected legal groups.

The Corporation will have the power to make rules and regulations to allocate the resources of the Corporation and to assure the comprehensive delivery of services to the client community.

OTHER PROGRAMS

I am sorry to see that a number of the other OEO programs have fared poorly in the revival of this bill. The authorization for OEO work and training programs, for example, has been reduced from $1.4 billion to $865 million. The emergency food and medical services program has been cut from $60 million to $20 million. Alcoholic counseling has been cut from $18 million to a mere $2 million. Vista has been cut from $45 million to $33 million.

As I stated at the outset of my remarks, we do need OEO. Even the weak, sickly form in which it comes before us today is better than nothing, and I urge the passage of this bill.

Mr. STOKES. Mr. Chairman, this bill should not require extensive discussion. I joined with a majority of my colleagues here and in the other body in supporting a very fine, well thought out OEO bill. The President's veto appalled me. It indicated a total disregard of the needs of the poor people of this Nation.

We have before us another bill minus the program which the President singled out for his severest criticism, the child development program. Despite that deletion, the gentleman from Minnesota (Mr. QUIE) and others close to the President are indicating that he will veto this bill, too.

I would like to focus on the two programs which he apparently finds objectionable. The first of these is the Headstart program. I represent a city in which 830 children are served by Headstart and thousands more cannot be served because of inadequate funds. I find an increase in funding to be imperative to meet the need which exists.

Nationally, the program provides services to only 20 percent of the 1.6 million children who need them. The increases provided in this bill should improve the situation somewhat but will in no sense be sufficient to meet the critical need.

The bill's expansion of Headstart services to the near poor is commendable. It is unfortunate, however, that the proposal will require payment of fees by families in this "near poor" category. Anyone at all familiar with the problems of the poor in this Nation is aware that true poverty begins at a far higher level of income than $4,320 where the fee for services begins under this bill.

My dissatisfaction with the Headstart provisions of this bill stem from their inadequacy. If the President continues to oppose this meager expansion of the program, he will demonstrate unmistakably his total lack of understanding and concern for the problems of needy children in this country.

The Legal Services Corporation has been the focus of the President's resistance to this measure. In vetoing the earlier bill, he expressed his objection to the manner in which the Board of Directors would be chosen. The requirement that he select 11 of the 17 Board members from lists submitted by groups vitally involved and interested in legal services was unacceptable.

The President has often reiterated his support for a strong and politically independent legal services program. His actions and those of his administration have directly contradicted his public statements. Recently, Fred Speaker became the second director of the program to resign after Nixon administration pressure over representation of clients by legal services attorneys. Vice President AGNEW's intervention in a pending lawsuit in Camden, N.J., by contacting Mr. Speaker on behalf of the Camden city officials was inexcusable. It is exactly the sort of interference which the corporation proposal is designed to obviate. When the Vice President contacts the director of legal services to attempt to negotiate a settlement with legal services attorneys and their clients, he makes a mockery of the judicial process. It amounts to pressuring an attorney to sell out his client.

Even more important than the Vice President's actions are his statements to the effect that legal services attorneys should not be permitted to sue Government agencies on behalf of their clients. He stated that a minority should not be permitted to challenge the decisions of public officials elected by the majority. He has not been heard to advocate such restrictions on the rich or the corporations involved in pollution or tax avoidance. His objection is to representation of the poor whose interests were unrepresented before the legal services program. That program's aggressiveness and effectiveness have made life uncomfortable for those who have for years trampled the rights of the minorities and the poor. The oppressors who have been confronted include landlords, creditors, and, very frequently, governments at the Federal, State, and local levels.

What the program has accomplished is to give the previously unrepresented people access to the judicial process as a means of challenging oppressive laws and administrative practices. Rather than eliminate this activity, we must protect it from political attack by Mr. AGNEW and others. The present bill will accomplish this end.

If President Nixon were genuinely interested in a politically independent legal services program he would not object to the provisions for selection of the Board. He is seeking a Board which will be subject to administration influence and, in fact, control. The proposal before us permits the input of groups vitally interested in the operation of the program including clients and the organized bar. It has been endorsed by virtually all such groups. Continued opposition by the President is completely contradictory to his expressed support for a truly politically independent program.

I urge my colleagues to join with me in voting for this bill. We should call upon the President to repudiate the statements of Vice President AGNEW and to live up to his own public statements about both child care and legal services.

Mr. RARICK. Mr. Chairman, I opposed the OEO bill, S. 2007, in the last session of Congress because of the inclusion of comprehensive child development programs in the bill. That bill contained provisions which would have permitted the Secretary of Health, Education, and Welfare to become a virtual czar over the lives of America's children by directing him to establish standards and guidelines and authorizing the Secretary to grant or withhold funds to local agencies on the basis of their compliance with such standards and guidelines.

The President explained one reason for his veto of S. 2007 with the comment that child development programs constituted a radical change which "would commit the vast moral authority of the National Government to the side of communal approaches to child rearing over against the family-centered approach." And while labeling the comprehensive child development programs as communal, the President proceeded to say:

> Such far reaching national legislation should not, must not, be enacted in the absence of a great national debate upon its merit, and broad acceptance of its principles.

In the Economic Opportunity Act Amendments of 1972, H.R. 12350, now before us for consideration, the comprehensive child development programs in the controversial title V of S. 2007 have been eliminated. The provisions of this bill, however, would provide under expanded Headstart and Follow Through programs the legal authority for many of the programs and activities contemplated under title V of S. 2007 and would allow the Federal Government to gain more control over local schools.

Section 222(a)(1) provides that Project Headstart focus upon "children who have not reached the age of compulsory school attendance." This, of course, means from birth to about age 6. Project Headstart "will provide such comprehensive health, nutritional, education, social, and other services as the Director finds will aid the children to attain their full potential."

Sec. 222(a)(2) provides that the "Follow Through" program focus "primarily upon children in kindergarten or elementary school who were previously enrolled in Headstart or similar programs. It is designed to provide comprehensive health, nutritional, educational, social, and other services which the Director finds will aid in the continued development of children to their full potential. So that funds will be available for Follow Through, Sec. 222(a)(2) provides:

> Funds for such programs shall be transferred directly from the Director to the Sec-

retary of Health, Education and Welfare. Financial assistance for such projects shall be provided by the Secretary on the basis of agreements reached with the Director directly to local educational agencies except as otherwise provided by such agreements.

While comprehensive child development programs under S. 2007 would have provided the Secretary of HEW with the legal authority to assume almost dictatorial powers over America's children, H.R. 12350 would divide the power between the Director of OEO and the Secretary of HEW.

Section 522(a) provides for day-care programs as follows:

The Director is authorized to provide financial assistance to appropriate public agencies and private organizations to pay not to exceed 90 per centum of the cost of planning, conducting, administering, and evaluating projects under which children from low-income families or from urban and rural areas with large concentrations or proportions of low-income persons may receive day care. . . . Such day care projects shall provide health, education, social, and such other supportive services as may be needed.

Section 14 requires that all day-care projects established under the act shall comply with the comprehensive Federal interagency day-care requirements as approved by the Department of Health, Education, and Welfare, the Office of Economic Opportunity, and the Department of Labor on September 23, 1968. "Federal Interagency Day Care Requirements" sets forth requirements which day-care programs must meet if they are receiving Federal funds from any of the following programs: Title IV of the Social Security Act, Part A—Aid to Families With Dependent Children, Part B—Child Welfare Services; title I of the Economic Opportunity Act—Youth Programs; title II of the Economic Opportunity Act—Urban and Rural Community Action Programs; title III of the Economic Opportunity Act, Part B—Assistance for Migrant, and other Seasonally Employed, Farmworkers and Their Families; title V of the Economic Opportunity Act, Part B—Day Care Projects; Manpower Development and Training Act; and title I of the Elementary and Secondary Education Act.

It is pertinent to note that the "Federal Interagency Day Care Requirements" defines "Day Care Services" as follows:

Day care services—comprehensive and coordinated sets of activities providing direct care and protection of infants, preschool and school-age children outside of their own homes during a portion of a 24-hour day. (The Office of Economic Opportunity uses 7 hours as the minimum time period for its preschool day care programs; however, most of the standards in this document are also applicable to part-day Head Start programs.) Comprehensive services include, but are not limited to, educational, social, health, and nutritional services and parent participation. Such services require provision of supporting activities including administration, coordination, admissions, training, and evaluation.

Now, most public schools receive title I funds and would seem to qualify as providing day care services under the definition set forth in "Federal Interagency Day Care Requirements." It would seem logical to conclude that under H.R. 12350 public schools would be subject to Federal interagency day-care standards.

It appears that under H.R. 12350 the Director of OEO would have control of preschool children and the Secretary of HEW would take them over at about 6 years of age. The provisions of the OEO bill carry the strong suspicion that it is trying to accomplish without so saying what was vetoed as the comprehensive child development program. Initially, all children may not be included. But if this bill with its loosely drafted delegations of power were to be enacted into law, the framework would be established for its progressive expansion into a full-bloomed comprehensive child development program.

Should this bill be passed by both Houses, a Presidential veto should be certain in view of the President's state of the Union remark:

All of my recommendations, however, will be rooted in one fundamental principle with which there can be no compromise: Local school boards must have control over local schools.

I agree with the President as to the importance of local control of local schools and the traditional American family-centered approach to child rearing. America's future, whether it be a free society under our constitutional Republic or a totalitarian collectivistic society, depends in large measure on how our youth are trained and educated. It is imperative that the President's praiseworthy recommendation for local school boards having control over local schools be made a reality now.

To help in that direction, I cast my people's vote for local control of their schools and parental authority over their own children by voting against H.R. 12350.

Mr. QUIE. Mr. Chairman, I have no further requests for time and yield back the balance of my time.

Mr. PERKINS. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the amendment in the nature of a substitute printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Economic Opportunity Amendments of 1972".

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the Nature of a Substitute offered by Mr. QUIE: Strike out everything after the enacting clause and insert in lieu thereof the following:

That this Act may be cited as the "Economic Opportunity Amendments of 1972".

SEC. 2. For the purpose of carrying out the Economic Opportunity Act of 1964 (hereinafter referred to as the "Act"), there are hereby authorized to be appropriated $2,058,500,000 for the fiscal year ending June 30, 1972, and $2,109,800,000 for the fiscal year ending June 30, 1973,

SEC. 3. Sections 171, 245, 321, 408, 615, and 835 of the Act are each amended by striking out "five succeeding fiscal years" and inserting in lieu thereof "seven succeeding fiscal years". Section 523 of the Act is amended by striking out "four succeeding fiscal years" and inserting in lieu thereof six succeeding fiscal years".

Mr. QUIE. Mr. Chairman, as Members have heard, the substitute will provide for a 2-year extension of the present act, the Economic Opportunity Act, at authorizations that are the budget figures.

The budget figure is the amount recommended in the budget for 1972, which the Appropriations Committee cut 5 percent; and for 1973 it is the figure that the President recommended for that fiscal year. I put those figures in because, as Members will recall, in all of the years the Economic Opportunity Act has been in operation this Congress has never appropriated more than the administration has requested. So there is no sense in misleading anybody by putting in higher figures and raising false hopes, as I indicated yesterday.

The most important feature, I believe, which we ought to consider, is that the Legal Services Corporation as devised in this proposed legislation is not acceptable to the administration. We are in a different situation from that of last year, when we tried to work out a compromise. Now the President has stated specifically in his veto message of December why he is opposed to this version of the Legal Services Corporation. It makes no sense to send out of this body a bill which will be vetoed again.

Instead, let us not make the people who are employed by OEO wonder what is going to happen to them after June 30, the end of the appropriation. Now they are working as a result of funds appropriated without an authorization bill, which has been found to be legal. I doubt if we can do that another year without authorization.

Let us not hold this bill as a hostage in order to put through some extremely controversial amendments, to say nothing about amendments to the act the President will not accept.

I believe the issue is very clear for us today. We ought to pass this substitute. Then the Committee on Education and Labor can bring out separate legislation for a Legal Services Corporation, which many in this body favor, but who favor a different kind of one than is presented here. We can work out one that would be acceptable, that could be signed by the President.

The same thing goes for the child development or Headstart programs. If this body wants to expand the programs for Headstart or other child development programs, let us do it with separate legislation, standing by itself, not requiring the extension of the Economic Opportunity Act to carry it through. Let it stand on its own feet, and let the House work its will.

Last year the House just considered child development as an amendment to the extension of the Economic Opportunity Act and adopted it. That is where we ran into difficulty then.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield for a question?

Mr. QUIE. I yield to the gentleman from Michigan for a question.

Mr. WILLIAM D. FORD. The gentleman has asserted and reiterated over and over that the House should reject the Legal Services Corporation because the President does not like it. The gentleman is the ranking minority Member on the committee. Does the gentleman have any independent thoughts of his own he might share with us as to why we ought to reject the Legal Services Corporation?

Mr. QUIE. I am glad the gentleman has asked that question. I will tell the Members my feelings on the matter.

There is no precedent for any Government corporation, commission, or council, for a private group to select the people who the President can appoint. When we require that the appointement be from certain groups of people in existing law we only specify that the President shall give due consideration to their recommendations, and do not require that he be limited to the lists they submit to him.

For that reason I do not believe we ought to start on that new precedent.

We do have a difficulty here, I believe, with accountability. I put in the RECORD yesterday, on page H1072, the information from the Task Force of the National Legal Aid and Defender Association. I read from that report:

> It is important, for the sake of the trustees' credibility in light of their relative lack of accountability, that they consult with truly representative groups and conscientiously follow their recommendations if at all possible.

They recognize the lack of accountability. The only way one can get accountability is for the President to have a free hand, to appoint the members of the board. He is elected by the people. Then those appointments can be considered by the Senate, for them to turn down or to accept. Then he can be held responsible for his appointments, rather than be limited in his appointment by the recommendation or the list of certain private groups who are not accountable to the public.

Some of those groups even have a conflict of interest because they are clients or project attorneys.

I would again remind the House in these additional comments what the President said in his message of December 9, 1971, when he vetoed S. 2007. The President criticized the form of the Legal Services Corporation, pointing out that "it differs crucially from the proposal originally set forth by this administration." And I believe he is right.

The most crucial of those differences still exist in H.R. 12350. It is the provision which limits the power of the President in appointing members of the governing board of the Corporation to persons on lists submitted to him by various private organizations, including groups who have a vested interest in the operation of the program.

In his message, the President also said:

> Our intention was to create a legal services corporation, to aid the poor, that was independent and free of politics, yet contained built-in safeguards to assure its operation in a reasonable manner. In the Congress, however, the legislation has been substantially altered, so that the quintessential principle of accountability has been lost. In rewriting the original proposal, the door has been left wide open to abuses which have cost one anti-poverty program after another its public enthusiasm and public support.

Mr. Chairman, the legal services corporation provision in this bill leaves the door open to the same abuses, which is essentially that the members of the board would not be accountable, through the President, to the broad public interest. I placed in the record yesterday an account of a meeting convened by one of the interested groups—the National Legal Aid and Defender Association—which represents virtually a blue-print for taking over the legal services corporation even before it is formed. This would be attempted through the device of the incorporating trusteeship established under this bill, which is a wholly unnecessary provision for controlling the Corporation during the critical first 6 months of its operation.

The kind of abuses which would be possible as a result of turning the appointive process over to private organizations, including those with a vested interest, are very well known to the Members of this House. These are the very abuses complained of for so long by Members on both sides of the aisle which have threatened to discredit legal services for the poor.

Interestingly enough, the existing models we have for public defender systems, both State and Federal, would not turn the direction of the program over to interested private organizations.

One of the earliest State pulbic defender systems is that of New Jersey, which was enacted in 1967 under the administration of Governor Hughes. It has operated very well and it does not provide for appointment or control of the State public defender by any outside panel, but rather by the Governor, who, of course, in turn is responsible to the people.

In 1969–70 the National Conference of Commissioners on Uniform State Law spent a whole year in devising a Model State Public Defender Act. They carefully studied the issue of whether the public defenders should be appointed by an outside panel or by the Governor of the State, and concluded that the Governor should have that responsibility in order to preserve the principle of public accountability. This was incorporated in the model law adopted by their annual conference in August of 1970.

Not every State which has established a public defender system follows this model. In Hawaii, for example, they adopted the course of having the public defender appointed by—and therefore responsible to—an outside panel. After a year of experience with this, which proved to be extremely unhappy and counterproductive in terms of public support for the whole concept of legal services for the poor, the Hawaiian Legislature repealed the panel system and turned the authority over to Governor Burns, as recommended in the model law.

We also have a public defender system for the Federal courts established by the Criminal Justice Act of 1970, Public Law 91–447. Here the system is based upon a plan devised by each United States district court and approved by the judicial council—consisting of the U.S. circuit court of appeals judges—having jurisdiction. There is not time here to describe in detail the operation of this act, but it can be summarized by saying that the Federal defender system is under the firm control of the Federal judiciary, headed up by the Chief Justice of the U.S. Supreme Court in his role as a head of the Judicial Conference of the United States. The judicial conference is composed of the Chief Justice, the chief judge of the court of claims, the chief judge of the court of customs and patent appeals, the chief judge of each U.S. circuit court of appeals, and one U.S. district judge from each circuit who is selected by his fellow judges.

Thus the Federal public defender system, established as a part of our system of justice, is under the firm control of the Federal judiciary without any sort of intervention of outside groups. The provisions for a legal services corporation in this bill would not only mark a complete departure from the established constitutional practice of the President making appointments as the representative of all the people, subject only to the power of the Senate to advise and consent, but it would also be counter to the best experience we have in assuring responsible legal representation of the poor.

There is every reason to believe that upon close examination title X should not be acceptable to a majority of the Members of this House. Our aim is and should be to use the taxpayers' money to assure competent, aggressive legal representation of the poor without serving unwise private ends. H.R. 12350 provides no such assurances and the substitute should be adopted.

Mr. ERLENBORN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I doubt, really, that there is anything much new that can be said that has not already been covered in the general debate, but I did want to take the floor and again reiterate my support for the substitute that the gentleman from Minnesota (Mr. QUIE) has offered.

I think it makes good sense to extend the authority for the OEO for this current fiscal year and the next year so that we can then go about, in the proper legislative fashion, the creation of a Legal Services Corporation, a concept that both the administration and a majority of the Members of this House have endorsed.

However, the problems have not yet been worked out. No real attempt has been made in the committee bill before us now to resolve these questions that face us as between the President and the Members of the House and the Senate. I think a simple extension of the OEO will give us the time properly to work out these differences.

It became quite apparent when this new bill was introduced after the veto

of the prior OEO authorization bill that the concept of an early childhood development program was going to be dropped now as a separate item and that the majority on our committee were going to try somehow or other to turn Headstart into an early childhood development program. This is done very inexpertly, because it does not have those elements in it that should go into that kind of a program, but because of the popularity of Headstart per se and its acceptance and the fact that it is an ongoing program, the majority has chosen to mandate spending by earmarking and expanding vastly the funds for the Headstart program. This is a very poor way, I believe, of going about the resolution of differences which appeared between the administration and the Congress in this area.

Really what I am suggesting is early childhood development should be handled in a separate bill and the creation of a Legal Services Corporation should be handled in a separate bill, also. We should not hold hostage the OEO authorization for the purposes of getting these other two rather controversial matters passed.

Mr. GERALD R. FORD. Will the gentleman yield?

Mr. ERLENBORN. I am happy to yield to the distinguished minority leader.

Mr. GERALD R. FORD. Let me ask the gentleman from Illinois several questions.

First of all, how much is added to the Headstart program to carry out the child development aspect?

Mr. ERLENBORN. My understanding in the initial year it is $500 million.

Mr. GERALD R. FORD. And it goes up each year thereafter over and above what we have come to accept as a good Headstart program?

Mr. ERLENBORN. That is right. And it is also earmarked so that no authority to determine where the expenditure should be made is left in the OEO Director.

Mr. GERALD R. FORD. So it appears under the heading of Headstart that we now have the Headstart program, which most of us now support, and a child development program, where there are some legitimate questions raised by people in good faith?

Mr. ERLENBORN. That is right. And it was the intention of the drafters of the bill when they took the exact figures out of the conference report as to the income level below which the services would be free and then a fee schedule to $7,000. They are trying to make Headstart look like an early childhood development program.

Mr. GERALD R. FORD. The substitute offered by the gentleman from Minnesota is a legitimate, bona fide Headstart program plus other things that we put into the poverty program in the past.

Mr. ERLENBORN. It is that and it is also a reasonable authorization based upon the budget, so that we would not be holding forth false hope to those who would look at the authorization and expect us to be spending that amount, which would be the case with the committee bill where the authorization would be considerably higher than what we could anticipate would be appropriated.

Mrs. CHISHOLM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, will today mark a tragic turning point in the history of justice in America? The decision which faces this body regarding the future of the legal services program is one of constitutional importance, and it is one of great social importance for this Nation. The choice is clear: Are we to protect the fundamental right to petition for redress of grievance through the courts, the legal system, or are we to stand here today and tell untold millions of Americans that they must go back to the streets to secure their rights? I challenge those Members who would cut off this program which has provided basic legal representation for the poor to tell me who is more responsible—the Member who will vote as I do to maintain order, law, and justice through preserving this program, or the Member who invites social disorder, disobedience or unjust laws, and perhaps even violence in the streets, by voting to kill legal services for the poor.

I call upon those legislators who think they are serving the desires of the President in voting against legal services to recall his words in a message to Congress last May 5—

> The Nation has learned many lessons in these six short years. This program has not been without travail. Much of the litigation initiated by legal services has placed it in direct conflict with local and state governments. The program is concerned with social issues and is thus subject to unusually strong political pressures.
>
> Even though surrounded by controversy, this program can provide a most effective mechanism for settling differences and securing justice within the system and not on the streets. For many of our citizens, legal services has reaffirmed faith in our government of laws. However, if we are to preserve the strength of the program, we must make it immune to political pressures and make it a permanent part of our system of justice.
>
> * * * * *
>
> The Federal program of providing legal services to Americans otherwise unable to pay for them is a dramatic symbol of this nation's commitment to the concept of equal justice. It is a program both new and unparalleled by any other system of justice in the world. I urge the Congress to join with me in adopting this proposal to give it new strength for the future.

The contrast between these very fine comments by the President and the action of the Vice President in Camden 2 weeks ago makes the choice one that is clear. The Vice President said he was not satisfied with the "whole ball of wax" when it came to legal services bringing suits against governmental officials; a lot of poor people in this country are not satisfied with the "whole ball of wax" either when it comes to destruction of their homes in urban renewal projects and highways, improper relocation procedures, and denial of benefits to which they are entitled by Federal or State laws. To deny the poor man a right to legal representation in those cases is to deny the white middle class family the right to have legal counsel along when the Internal Revenue Service goes into your tax returns. The national advisory committee to the legal services program, a distinguished body make up of the leading officials of the organized bar, stated the issue quite clearly, and it bears repeating here:

> The legal services program is rooted in the concept of equal justice under law which is the conerstone of our democratic society. In terms of the rendering of legal services, this means that the economically disadvantaged must have the same access to lawyers and legal institutions as their more affluent brothers. Lawyers hold the key to the court system and the enforcement of substantive rights. Such enforcement depends upon the availability of and equal access to the institutions which determine the rights of the individual in our society. Translated into practical terms, the goal of the legal services program must continue to be making counsel available to those unable to afford legal representation, to the same extent that such representation is available to those financially able to employ their own counsel.

It escapes me how men who are lawyers could dare go on record against legal services, a program which is based on the most conservative and enduring principles of American law: the right to due process of law, the concept of accountability of public officials, and the right of every citizen to equal protection of the laws. I would hate to have to explain a vote to kill this program to the members of the influential legal profession back home and to citizens of all walks of life who believe that access to the courts is a basic tenet of the American way of life.

Why is it important to preserve this program, and why should Members of this House who are also members of the legal profession be particularly outraged by the disservice SPIRO AGNEW did to every American in attacking legal services?

First, it is a program where lawyers—who are officers of the judicial branch—have been funded through an agency of the executive branch and have, in many cases, sued the executive branch—and sued it successfully, I might add.

From the outset of the legal services program, this concern for the professional integrity of legal advocacy was viewed as having structural implications.

Because of the unique and constitutionally privileged status of legal advocacy, the organized bar insisted from the beginning that the program must be under professional direction, administered independently, and in accordance with the highest standards of the profession.

Second, this is a program whose chief political clout—at least at the beginning—came from direct involvement of the organized bar. And I do not mean simply token endorsement. I mean that the major elements of the organized bar became part of the internal policymaking structure of OEO—a partnership which is to my knowledge virtually unprecedented.

Consequently, it was with a lawyer's concern for structural guarantees of

professional independence that the bar sought and obtained first from Sargent Shriver and later, from Donald Rumsfeld, guarantee of independence of the legal services program within the community action agency.

Third, the ultimate integrity of this program stems directly from the canons of ethics and the code of professional responsibility of the legal profession and more particularly from the requirement of accountability of lawyers to their clients and of the program as a whole to the client population.

Once the program received express statutory recognition, the bar insisted on a guarantee that: "projects involving legal advice and representation shall be carried on in a way that assures maintenance of a lawyer-client relationship consistent with the best standards of the legal profession."

Fourth, the program is distinctive in that equal justice under law means something special for the poor and minority groups. It means enfranchisement. It has explicitly and inherently political dimensions—and the Supreme Court has recognized this to be inherent in legal representation—in such cases as *NAACP* v. *Button*, 317 U.S. 415, 430, and *UMW* v. *Illinois Bar Association*, 389 U.S. 217.

Fifth, the program is unique in that the legal profession is 98.5 percent white and yet is still welcome in the ghetto despite the racial polarization that threatens continuously to tear this country apart.

Perhaps the most significant indication of the distinctive nature of this program is that the President's Commission on Executive Reorganization—the Ash Commission—which was bent on consolidating departments and agencies rather than proliferating—felt that this was one program which could not be incorporated in any other operating department and agency and was best spun off in an entirely new corporate entity which would at once preserve the program's professional integrity, provide continuous funding, insulate it from the kinds of controversy which had convulsed it since its inception, and maintain the same mission of representation at a time when the poor had become less fashionable as an object of governmental concern.

So in conclusion, I urge each of you to weigh carefully the implications of how you vote on this amendment today. It is not consistent with the President's wishes that legal services be terminated; it is consistent however with the apparent wishes of the Vice President. It is not consistent with time-honored principles of the adversarial system of justice to vote against legal services; but certainly a vote to kill this important program will be appreciated by the Spiro Agnews and Ronald Reagans of this country, so let each be the judge of his company.

Mr. ESCH. Mr. Chairman, I move to strike the requisite number of words.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. ESCH. I will be happy to yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, I just want to say to the gentlewoman from New York that when she raises the question of whether Members support the legal services program or not, she seems to give the impression that the substitute I have offered would strike out the legal services program and that is just not accurate. What the substitute does is to continue the present act as it is and, as the gentlewoman knows, the legal services program is a part of the present act.

What the substitute would do would remove the new Legal Services Corporation, which is unacceptable to many of us. The Legal Services Corporation is one that, as you know, was so controversial that you would not accept it the way it is now in the last session of the Congress. What we really want to do is to consider that issue by itself, so that all views could be adequately considered, and my views could be adequately considered, but not to hold the Community Action Agency employees, and the employees of OEO down here as hostages. I think we need to pass a continuation of the Economic Opportunity Act as it is right now. We will then have time to consider such further amendments as may be necessary.

But bear this in mind, this does not do anything to stop the legal services program as it presently exists; it does not do anything to stop the Headstart program as it presently exists, it does not do anything to stop the program that is run by the National Collegiate Athletic Association as it is presently operating.

That is what I want to make clear.

Mr. ESCH. I thank the gentleman.

Mr. ERLENBORN. Mr. Chairman, will the gentleman yield?

Mr. ESCH. I yield to the gentleman from Illinois.

Mr. ERLENBORN. Mr. Chairman, I thank the gentleman for yielding to me.

I was surprised, as was the gentleman from Minnesota (Mr. QUIE) when the gentlewoman from New York (Mrs. CHISHOLM) referred to the fact that the substitute does away with the legal services program, because the substitute does not do that.

It also seems very strange to me that the gentlewoman from New York would take the well in such strong support of the new corporation as provided in this bill because, if my memory serves me correctly—and I think it does—when I offered the provision in the bill last year it was almost identical to this, and the gentlewoman from New York voted against it in committee.

Now, I think the gentlewoman from New York is trying to obfuscate the real facts because nobody is trying to do away with the legal services program. We are trying to work out a new corporation that will be acceptable. I support legal services, and I support the concept of the corporation. I just do not think that this is the vehicle in which to do it.

Mr. Chairman, I thank the gentleman for yielding.

Mr. ESCH. I appreciate the remarks of the gentleman from Illinois and the gentleman from Minnesota. In the interest of fairness I think that all views should be stated so that we have a clear understanding of the differences. Even though I do not concur with the gentleman from Illinois, and the gentleman from Minnesota on this issue, I think it is important that we should recognize that the 2-year extension does indeed include legal services.

Mr. MEEDS. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman and members of the committee, in addition to the other mischief which the substitute commits against Headstart, Neighborhood Youth Corps and a number of other fine programs in the Office of Economic Opportunity, it knocks out title X, which is the Legal Services Corporation.

We are told by the gentleman from Minnesota that we should not exercise our prerogatives as a separate and supposedly equal body of this Government, but that we should take hook, line, and sinker the administration's bill—and if we do not, the President will veto it and we will not have anything.

I would like to point out in that connection two things. First of all, this is not the bill the President vetoed. I keep trying to make this point, and the gentleman from Minnesota apparently wants to overlook it. This is not the bill the President vetoed. Indeed, we made three of the four major changes that the President suggested in his veto message.

Now I think we have gone a long way to meeting the President—we have gone three-quarters of the way. We have made three of the four major changes, and it seems to me he ought to be willing to compromise a little bit also.

We brought forth the bill which meets some of his major objections.

So from both of those standpoints, it seems to me highly unlikely that the President will veto this legislation, if we pass it.

In addition, I think we ought not to let ourselves be bludgeoned and lose our position as a separate and equal branch of this Government.

But let me point out some of the other things that this substitute amendment does. First of all, title X, the Legal Services Corporation, in addition to creating the corporation, we put some stronger strictures on that corporation than presently exists under the present legal services program.

For instance, we entirely prohibit political activity not only partisan political activity but nonpartisan political activity.

I am sure the gentleman from Minnesota will agree with me that this is stronger than present law.

Second, we entirely prohibit the representation of criminal cases. I am sure the gentleman from Minnesota will agree with me that this is stronger than the present law.

Third, we establish a very strict curb on legislative advocacy. This has been a problem with the present program that I think has been somewhat of concern to

many Members of Congress. They have had situations where legal services attorneys have gotten involved before legislative bodies, advocating positions, which they ought to be able to advocate, but they do not even represent clients. They are just there on their own, so to speak, as some people think, stirring up trouble. We have in this legislation an absolute prohibition against that.

It may be done now, but we prohibit it under this act—any legal services attorney legislatively advocating, must represent a client and/or must be invited by the legislative tribunal before which he appears.

I am sure the gentleman from Minnesota will agree with me, this is much stronger in our present legislation.

Another problem is that legal services attorneys are going out, in some few instances, looking for a case to represent. There is a strict prohibition against that in this title X.

I am sure the gentleman from Minnesota would agree with me that it is much stronger in these terms because we establish a requirement for guidelines for appeal.

So on balance this bill is much stronger in protecting some of the concerns of the Members of this Congress and the administration have asserted.

So, if we vote for the substitute of the gentleman from Minnesota, we will not get the strengthening amendments in this bill.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman.

Mr. QUIE. Mr. Chairman, all during the conference last year, a lot of people were saying—Oh, the President will not veto this bill. But he did.

This is a different situation and we do not have as much room for compromise.

There was no compromise on the make up of the Board. It is the same as we find in the bill agreed on in the conference report last year.

Mr. MEEDS. That was the thing. I said we took just three out of four. That is pretty good, it seems to me.

Mr. QUIE. And the trusteeship, which many did not realize was in trouble, really was not resolved by the amendment offered by the gentleman from Wisconsin in committee which still leaves private groups in control for 6 months.

Mr. MEEDS. The gentleman can make that decision.

The CHAIRMAN. The time of the gentleman from Washington has expired.

AMENDMENT OFFERED BY MR. ICHORD TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. QUIE

Mr. ICHORD. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Minnesota (Mr. QUIE).

The Clerk read as follows:

Amendment offered by Mr. ICHORD to the amendment in the nature of a substitute offered by Mr. QUIE: At the end of the amendment add the following:

SEC. 4. Section 222(A)(3) of the Economic Opportunity Act of 1964 is amended by striking the fourth sentence and inserting in lieu thereof the following:

"No funds or personnel made available for such programs shall be used to provide legal services with respect to any criminal proceeding; nor shall any funds or personnel made available for such programs be used to provide legal services in civil suits to persons who have been convicted of a criminal charge where the civil suit arises out of alleged acts or failures to act connected with the criminal conviction."

Mr. ICHORD. Mr. Chairman, I had originally intended to offer this amendment, the Legal Services Corporation section of H.R. 12350. However, I have drafted it so that it is in order as an amendment to the amendment offered by the gentleman from Minnesota (Mr. QUIE).

The Legal Services Corporation provisions, as drawn in the bill, does contain a prohibition against the use of funds or personnel in criminal matters. The present legal services section, section 222(a), does likewise. However, it would permit criminal representation in very unusual situations.

What I do in this amendment is to extend the prohibition to civil suits arising out of criminal suits.

The amendment, I believe, is very simple. I think it is quite clear. I would hope that both sides would accept the amendment. It strikes at a problem which the gentleman from Missouri (Mr. HUNGATE) and I have encountered in our respective districts.

We have a rash of suits filed by persons who have been convicted of criminal offenses against prosecuting attorneys, against policemen, against judges, and even defense counsel. These proceedings have been filed under section 1983 of title 42. I do agree that probably the present guidelines would not permit the expenditure of funds and the hiring of personnel in these actions. But I can see no reason why the members of the committee would not accept such a prohibition.

Mr. MEEDS. Mr. Chairman, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Washington.

Mr. MEEDS. Are any of the actions about which you speak being brought by legal services attorneys?

Mr. ICHORD. They are not, and, as I stated, I understand they would not be permitted under the present guidelines. But there is no prohibition against extending such services. We have written a prohibition toward criminal suits in the legal corporation section. I think we should also extend it to civil suits arising out of criminal cases. I hope the members of the committee will accept the amendment.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Michigan.

Mr. WILLIAM D. FORD. I do not quite understand. The gentleman acknowledged that the problem he has in Missouri is not a problem arising out of the expenditure of Legal Services funds, because the suits that bother him are not being brought by legal services attorneys. Is that correct?

Mr. ICHORD. That is quite true.

Mr. WILLIAM D. FORD. I fail to see, in spite of the explanation, the reason for the amendment.

Mr. ICHORD. I state to the gentleman from Michigan that I am just as sure as I am standing in this well that if there is no prohibition placed in the bill as was placed in relation to criminal suits under the Legal Services Corporation Act, there will be such legal services provided to such convicts.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Missouri.

Mr. HALL. I join the ranks of my colleague from the Eighth District and also the reference to my colleague from the Ninth Missouri District, and add that being from the hometown of the hospital for Federal defective delinquents, U.S. Department of Justice, Prison System; there have been suits brought by inmates there through legal defenders who would not be eligible under the amendment. I support the gentleman's amendment.

Mr. ICHORD. I have one county in my district where there are five such suits pending against the local prosecuting attorney.

Mr. HUNGATE. Mr. Chairman, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Missouri (Mr. HUNGATE).

Mr. HUNGATE. I think the problem the gentleman describes is a very real and existing one in Missouri. I suspect we are not alone in that. I appreciate the amendment the gentleman offers. I can see no reason why the amendment should not be supported. If they are not doing it and do not plan to do it, I see no reason why we should not put that in the law.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman from Michigan (Mr. WILLIAM D. FORD).

Mr. WILLIAM D. FORD. Mr. Chairman, the reason is no one would advocate we should change the rules to do what one might suspect would be done in the future, but this amendment goes much further. In addition to possible civil suits arising out of criminal proceedings, suppose, for example, there was a question of enjoining a public board or agency to perform its duty with respect to an investigation of a demonstration, for example, to take place here in Washington. Would the gentleman prohibit that kind of action?

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. WILLIAM D. FORD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I yield to the gentleman from Missouri to answer my question.

Mr. ICHORD. Mr. Chairman, I would say to the gentleman from Michigan I have limited the amendment to convicted criminals. The added language to the prohibition the gentleman has placed in the Legal Services Corporation Act is this: "nor shall any funds or personnel made available for such programs be used to provide legal services in civil suits to persons who have been convicted of a criminal charge where the civil suit arises out of alleged acts or failures to act connected with the criminal conviction."

So the language would have only limited application. It would apply only to the convicted criminal.

Mr. WILLIAM D. FORD. If the gen-

tleman is concerned with the possibility of legal services attorneys bringing on behalf of indigent persons suits for false arrest, he need not fear that, because we have never, never in the history of the program permitted use of legal services' funds for that purpose.

Mr. ICHORD. I would agree.

Mr. WILLIAM D. FORD. The reason for that is, it is within a class of cases we call fee generators, and just as we do not permit them to take automobile damage suits and tort cases where lawyers are normally expected to be repaid by portions of the judgments they obtain, we do not permit them to take such cases. It is very misleading for the gentleman to submit this amendment suggesting he is trying to prevent something prospectively from happening, because the implication is someone presently plans to reverse what has been the case in the 7- to 8-year history of this program.

I should not like to have people misunderstand that there is any intention to reverse this restriction we have had on legal services attorneys.

In reply to the gentleman from Missouri who said if we have no intention of having legal services attorneys represent persons in this kind of case, why do we mind the amendment, we mind the amendment because it does not apply just to restrict that type of suit. It restricts the legal services attorney from being involved in any civil suit that is in any way connected with the criminal proceeding just because a person happens to be a convicted criminal. Let me point out to the gentleman that anyone who is involved in any kind of public demonstration or even a strike and is arrested for being allegedly a disorderly person and goes to trial and is found guilty of that, is by this definition at that point a convicted criminal.

But what if this is a group of poor mothers, for example, involved in a rent strike and the legal services attorneys at the same time have filed against the public housing authority of the city of Detroit a petition asking that the housing authority reject those procedures with respect to the way it is establishing its rent?

Now, does such a mother, if she participates in the rent strike and is convicted of being a disorderly person under an ordinance of the city of Detroit, thereby become a criminal who can no longer be a party to rent litigation against the city housing authority? That is an entirely different kind of circumstance than that described by the gentleman.

I submit we should not adopt an amendment to stop something that is not happening while at the same time we endanger the entire structure of the relationship of the professional attorney and the client which exists in this program.

We ought to remember that we are not dealing with carpenters and butchers. We are dealing with professional people who are subject to the laws of the States, to the laws of the United States, to the rules of the courts in which they practice, and to the rules of the professional organizations they are required to belong to as professionals, as they conduct their practice.

There is something to all these restrictions. We should not involve ourselves in the attorney-client relationship. It seems to me that is one of the troublesome aspects of this amendment.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM D. FORD. I yield to the gentleman from Missouri.

Mr. ICHORD. In answer to the gentleman, I do agree that the present guidelines would not permit such representation, but the gentleman would have to agree that the OEO legal services program at the present time does have that authority. If the gentleman does not believe in such representation, I cannot understand why he would object to adoption of the amendment.

Mr. GROSS. Mr. Chairman, I move to strike the next to the last word.

Mr. Chairman, I would like to have the attention of the gentleman from Kentucky (Mr. PERKINS). It is difficult, from reading the first page of the report, to ascertain exactly how much is proposed to be expended through this bill, H.R. 12350, this year and next year. Let me give the gentleman a figure or two, and see if I am correct in the unofficial information I have.

For 1972, in round figures, it is $2.3 billion; is that correct

Mr. PERKINS. That is correct.

Mr. GROSS. For fiscal year 1973, in round figures, it is $3 billion.

Mr. PERKINS. That is correct.

Mr. GROSS. And for 1972 that would be $400 million over the appropriation already made; is that correct?

Mr. PERKINS. It is hardly that much. It is about $360 million.

Mr. GROSS. About $360 million?

Mr. PERKINS. Something like that.

Mr. GROSS. With respect to figures of this kind, the gentleman would not quarrel too much over $40 million, would he?

Mr. PERKINS. No, I certainly would not.

Mr. GROSS. And for fiscal 1973, it is over the budget by $900 million?

Mr. PERKINS. Almost.

Mr. GROSS. Almost $900 million?

Mr. PERKINS. Correct.

Mr. GROSS. And the Legal Services Corp. would start with about $60 million; is that information correct?

Mr. PERKINS. That is the appropriation this year, and we provide for the transfer of what is left over to the corporation.

Mr. GROSS. And thereafter the sky could be the limit for the lawyer's WPA.

Mr. PERKINS. The gentleman well knows that the request for this year is only for $73 million.

Mr. GROSS. I said thereafter?

Mr. PERKINS. No, it is not thereafter. The corporation cannot obtain any funds whatsoever from any source except through——

Mr. GROSS. Well, it is open-ended as to money, is it not?

Mr. PERKINS. Yes, it is open-ended.

Mr. GROSS. It is absolutely open-ended thereafter?

Mr. PERKINS. Yes.

Mr. GROSS. So the sky could be the limit. Now let me ask the gentleman this question: that adds up to between $5 billion and $6 billion as a total for this bill, does it not?

Mr. PERKINS. No. It is such sums as the Committee on Appropriations may appropriate. The gentleman well knows that the Committee on Appropriations will be slow in arriving at $100 million. That is just my judgment.

Mr. GROSS. I would say to the gentleman that the Appropriations Committee can be mighty liberal on occasion. I do not know what they would do in this case, and the gentleman does not know, either, what they would appropriate.

However, the next question is——

Mr. PERKINS. But they never gave them more than $61 million. Let us put it that way.

Mr. GROSS. I do not know about that.

Let me ask the gentleman where is it proposed to get the $5 billion and more to finance the entire programs called for in this bill?

Mr. PERKINS. If we authorize it here, then naturally I assume it would come out of the general revenues of the Treasury of the United States if it is appropriate.

Mr. GROSS. Are your people in Kentucky prepared to pay their share of the taxes for these bills? I can tell you they are not in the Third District of Iowa.

Mr. PERKINS. Let me say to my good friend that over and above the President's budget for the increase in Headstart for fiscal year 1973——

Mr. GROSS. I am talking about the entire bill.

Mr. PERKINS. I feel it is money well expended, and I certainly want to pay my part of it.

Mr. GROSS. The gentleman has not answered the question. Are the people of his district, the hill country of Kentucky, prepared to pay increased taxes to take care of this bill?

Mr. PERKINS. We feel Headstart——

Mr. GROSS. We are not talking about Headstart or any other one thing, such as Legal Services.

Mr. PERKINS. Let me say to the distinguished gentleman that everybody is tax conscious in this country, but it is a question here of determining priorities, and my people feel that this program deserves priority over many other programs where expenditures should be cut.

Mr. GROSS. Would the gentleman mind seeing the citizens of the 3rd district of Iowa getting as much as they do down in the gentleman's district in Kentucky so they may have some pap from the Federal Government to help pay their taxes in order to pay for this bill?

Mr. PERKINS. I think, if the gentleman from Iowa had as many poor people as the gentleman from Kentucky, he would want an equal amount of dollars.

Mr. GROSS. Of course, this business of being poor is relative, is it not? Or is it? I understand they are pretty well taken care of down in certain parts of Kentucky. I just wonder if the gentleman is ready to spread the good things of life to the rest of the country.

Mr. PERKINS. I would like to see above everything else the good things of life go to my good friend from Iowa.

Mr. GROSS. I can see the gentleman does not have a good answer as to where it is proposed to get the $5 billion which he advocates spending on this program.

Mr. HUNGATE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the situation that some of us from Missouri discuss is not a hypothetical one but is a very real one, not involving, as far as I know, prosecutors particularly, but it does involve defense counsel in many instances. In the State of Missouri we are in such a condition that appointed defense counsel are not paid. They serve free in the State of Missouri. They can find later that they are sued, and it was brought to my attention in a letter that one of these court-appointed attorneys defended a client and the man was convicted, so he sued the defense counsel for $100,000. The counsel said, "'While I was laughing at this guy someone else sued me for a $1 million." These are real situations, not hypothetical cases.

I appreciate the gentleman from Michigan's statement. These suits are not being handled through any legal aid program now. I think it is just as well that we have a statute so that they could not change their guidelines. Some of us are familiar with instances where they do change the guidelines and some cases where they violate guidelines. They might bring people to Washington and take them home urging them to write to the Congressmen offering to prepare letters for them and drawing letters up for them and even run them through the postage meter, in some instances, in order to lobby using Federal money to lobby to get more Federal money. That is against the guidelines, but it has happened more than once, and I would like to see prohibition made statutory.

While I support my colleague DICK ICHORD'S amendment, I oppose the Quie substitute because of its failure to make other necessary corrections in the field of adequate legal services for citizens, now unable to afford them.

Mr. PERKINS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. HALL. Mr. Chairman, reserving the right to object, I request the gentleman to make that at the end of the first 5 minutes; otherwise, I would be constrained to object.

Mr. PERKINS. All right; I shall be delighted to do that.

The CHAIRMAN. The gentleman from Kentucky is recognized for 5 minutes.

Mr. PERKINS. Mr. Chairman, first, let me state that if we adopt the substitute we will just be throwing away everything that the Committee on Education and Labor has been doing. Even admitting that the so-called poverty program has weaknesses, we will just be perpetuating those weaknesses in adopting the substitute.

Personally, I feel that this Congress does not want to proceed in any such manner.

Now, when we vote down this substitute, the gentleman from Minnesota (Mr. QUIE) will have the opportunity to offer his amendment in connection with the Headstart program, and other amendments will be in order in connection with the legal services program.

Mr. Chairman, we have strengthened the Economic Opportunity Act by amendments added in committee.

We have a provision in here on rural housing, so little has been done for the rural people of America. The regular housing programs have, by and large, bypassed the rural people in this country.

I want to state to my city friends that I have supported every bill that affects the cities and I expect to do so in the future.

But, we have tried to orient this legislation toward the rural people solely for the purpose of trying to get a fair share of the money expended in the rural areas.

Now, with reference to the environmental action program, I think if you will turn to page 19 of the committee report you will find a description of what it proposes to do. I am going to take the time to read it.

One is a new environmental action program through which low-income people will be paid for working on projects designed to combat pollution and improve the environment. This new program combines the elements of a work program with a recognition of the need to improve the environment, particularly the environment in which the poor find themselves. Projects may include a variety of kinds of activities, cleanup and sanitation activities, solid waste removal, the clearing of streams, removal of trash and automobile carcasses from creekbeds and roadways, work necessary to improve sewage collection and disposal, and projects to improve water supplies. Work on the reclamation of eroded or ecologically damaged areas, such as those affected by strip mining, will be encouraged, as well as the rehabilitation of areas damaged by other forms of natural and manmade destruction. The planting of trees and flowers, the establishment and construction of recreation areas and parks, the seeding and sodding of barren areas are contemplated.

We are trying by this amendment to remove the debris and filth from the streets and highways of this country both in the slums and in the rural sections of the country.

We felt that we could improve community action programs and those people who work in connection with the mainstream program by special emphasis programs of this type. Plans are already being made in the various communities to use these people—to clean up the environment.

I certainly would hope that this committee today would not jerk the rug completely out from under the poor people where their representatives are trying to get them started in doing something about cleaning up their own environment.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

(By unanimous consent, Mr. PERKINS was allowed to proceed for 5 additional minutes.)

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the Chairman for yielding.

I want to get a point straightened out in my mind in regard to the gentleman's bill and the so-called Quie substitute amendment.

As I understand the bill which is before us, it provides some language that assures the continuation of the very successful foster grandparents program among our Indian children out in Oklahoma, where there has been some difficulty in providing the local matching funds necessary to keep this program going.

Mr. PERKINS. That is in the committee bill, not in the Quie substitute.

In the committee bill we further provide that the matching requirements for any OEO programs cannot go above 20 percent, whereas there are proposed regulations that would increase that figure, which would eliminate many useful ongoing programs.

Mr. EDMONDSON. If I understand the Quie substitute amendment correctly, it deletes completely the language in the committee bill which makes in order a waiver of full local contributions from our Indian tribes, and our Indian community people, and that waiver is absolutely essential for continuing this program in some low-income areas.

Mr. PERKINS. The gentleman is absolutely correct. That point was given careful consideration before the committee. I am hopeful that this House will not be lulled into a sense of false security here, and accept a simple extension of this legislation. This is just one way of destroying the program, and I am surprised that anybody would offer an amendment of that type after this bill has been so carefully considered.

Now, if they want to proceed in the normal way they will have a chance to do so, but let us vote down this substitute offered by the gentleman from Minnesota.

Mr. Chairman, we have provisions in the committee bill for the employment of rehabilitated veterans who had become addicted to drugs. This is in the committee bill; it is not in the Quie substitute.

It is true that the committee bill does authorize an additional $500 million for fiscal year 1973 for the Headstart program. I want to ask the members of this committee whether we are justified in authorizing another $500 million for fiscal year 1973 for the Headstart program?

In my judgment, we are justified, when we consider that we have about 1,700,000 children within this category and are only taking care of about 20 percent presently.

They made the argument that we need to wait and to develop a comprehensive

bill before we go further in connection with doing something about these youngsters who need child development services. But Mr. Chairman, the need to expand is clearly shown.

The President of the United States is not going to dare to veto this bill because we add an extra $500 million for Headstart for the fiscal year 1973 and he is not going to dare to veto this bill, because we have permitted children above the poverty level but who are in the very near poor category to come into the program by paying a reasonable fee—after his own administration suggested this very fee schedule.

I would not think any President would dare veto a bill of this type. He has the flexibility. There are none of the arguments here that existed in the child development bill—none at all.

Mr. Chairman, I am hopeful that the substitute amendment offered by the gentleman from Illinois will be defeated.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAYS. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, there are several things about the OEO, or the poverty program, that I do not like. I think it has several weaknesses in it and if this substitute amendment is defeated, as I hope it will be, I intend to offer at least one amendment to correct one of the things that I think is bad about it.

We put an amendment in last year which I thought was perfectly clear insofar as the intent of the House is concerned, that one-third of these local boards consist of public officials. I thought the intent was elected public officials.

I find in one of the counties in my district they have deliberately circumvented this. This director has more or less handpicked people who are from appointed boards, and who I suppose can qualify as public officials—but the electorate has no way to hold them accountable for anything.

So, if this substitute is defeated, I have an amendment prepared which I understand the chairman is perfectly agreeable to, which spells out that one-third of these boards shall be either elected Government officials or their representatives.

Then, if the elected officials choose not to exercise their right or not to appoint anyone, the board can go into other categories.

The reason for this is—I think a lot of people would support this program if there were some accountability.

But I ran into a situation just the other night when I attended this meeting—and I was reluctant to do so, a board meeting of this particular community setup where that director had called in a consultant. It turned out later that the consultant had been fired from three different OEO programs. But there was a kind of interrelated incestuous relationship there—and he paid this guy $1,900 of your money and my money for a 4-page double spaced report on how to fire the deputy director, who the director did not like. I challenged him on it. He went on television and damned me as being against the poor.

The truth of the matter is—I think that $1,900 would have been better spent on behalf of the poor than on behalf of some faker and foreflusher who came in there representing himself as a consultant.

After my intervention, this director got up very dramatically thinking to gain sympathy and said, "I resign."

And do you know what? They accepted his resignation by a vote of 14 to 12, which was a great surprise to him and a very pleasant one, I might say, to a good many other people.

I would like to see the program strengthened. I would like to see the money go to the right places. I think Headstart is probably the outstanding thing that the OEO has done, and I think that we could afford to expand that program, if necessary—and maybe the Chairman will not agree with this—if necessary, at the expense of some of the programs which have been less useful and more controversial.

But let me tell you something. I spent 4 years of my life, the first 4 years after I left the university, as a high school teacher. I got plenty of students in high school who could not read, who could not read at the fourth-grade level, and I understand this problem has exacerbated through the years, partly because they get underprivileged children in the schools who do not have the background, they get behind, and finally they get too big for the seats in the class, and they are moved to the next class. Nobody has a chance to get them caught up.

It has been my observation in my district that the Headstart program has done exactly what it was intended to do, not necessarily giving these children a head start, but giving them an even start, so that when they go into the first grade, they are on a par with the children of parents who could afford to send them to kindergarten or who could afford to have the kind of background at home conducive to learning, including the little reading books for children 2, 3, and 4 years of age. I remember that my own daughter had memorized those books by the time she was 3. I used to read to her. I would make intentional mistakes and she would correct me. A lot of poor kids have never had an opportunity to have these books.

I have visted the Headstart programs, and I can say that because of that background, the children have the advantage of a beginning which they would lack otherwise, enabling them to start in the first grade on a par with children from more privileged homes. It surely gives them a chance to get an education and graduate from high school.

In Ohio we now have a great many high schools and technical high schools. It is a growing program. It is fundamental that if a boy or girl gets to a high school or a technical high school and he or she cannot read, he or she cannot do the work required, because everything—the directions in electrical engineering, mechanical engineering, automobile mechanics, or you name it—they are all written in English and the student must have the ability to read in order to comprehend the work.

I hope the substitute will be defeated. As I said, I am going to offer an amendment, and will support amendments to correct this and if they are adopted to support the program.

The CHAIRMAN. For what purpose does the majority leader, the gentleman from Louisiana (Mr. Boggs) rise?

Mr. BOGGS. Mr. Chairman, I rise in opposition to the substitute.

The CHAIRMAN. The gentleman is recognized for 5 minutes in opposition to the substitute.

Mr. BOGGS. Mr. Chairman and members of the Committee, it seems to me that the issues before us are simple. They are not complex. We have before us a committee bill that has been reported by the committee and which we are seeking to debate, but in place of debate of the bill section-by-section, paragraph-by-paragraph, we are confronted by a substitute, a whole substitute, which would displace the committee bill and become the legislative enactment of this body.

I submit, Mr. Chairman and members of the Committee, that if anyone has doubts about the committee bill, whether he favors expanding the program or restricting it, the only orderly way to proceed is by voting down the substitute and proceeding with the debate on the committee bill.

I was impressed by what the distinguished chairman of the committee had to say about the threat that was made here today about a veto. I have been here for a while and I just do not believe the time has come in this body when we are required to legislate on the theory that someone in the executive branch, the President, is going to veto what we do. If that is the case, then we really do not need a legislative body. All we really have to do is to find out exactly what the Executive wants and just put an OK on it and send it down there.

If, on the other hand, we are independent representatives of the people charged with the responsibility of representing our constituents, then, it seems to me, we would work our own will and send a bill over to the other body and let that body work its will and let the conferees do their job, and then send a completed legislative enactment to the Chief Executive for him to do what he pleases with it.

I know of no other legitimate way to legislate. I, for one, join in expressing resentment over the idea that we are going to legislate or fail to legislate, because we have hanging over us some threat of a veto.

I would like to see the substitute amendment defeated, so we can debate this bill. If it takes us the rest of the day and tomorrow or next week, it will still be all right.

I think this is a very important program. I do not like to believe all we can do is extend whatever happened last year and the year before and send that to the President. We can improve on it. The fact is there are many things we can improve on.

I was very impressed by what the gentleman from Ohio said about the Headstart program a little while ago. I think

the legal services program with all its defects has been a very helpful program for the poor people of this country.

It is a fact that rather than having more people cross over the line from poverty to something better than poverty, last year was the first year in some time that we have had people move back over the line, back into poverty. I know in my own city last year, last summer in one of these programs providing some type of minimal employment during the hot summer months, there were 10 applicants for every available job. I have been told that a similar condition existed in most places in the country.

The point I am making is that despite all of its defects, despite all the criticism that may have been directed at some aspects of this program, it has moved into an area of our society—that of grinding poverty—that desperately needs some type of intervention on the part of the National Government. For us simply to say here now, with more people moving into poverty than are moving out, with the need for Headstart and all these other programs well established, that the best thing to do is simply to pass an extender—that is, in my opinion, an abrogation of the power and the authority of this great body.

So I reiterate, Mr. Chairman, I hope the substitute will be voted down, and I hope we will have the opportunity to work the will of the House on the committee bill.

Mr. CORMAN. Mr. Chairman, I rise in opposition to the substitute amendment, and I move to strike the requisite number of words.

Mr. Chairman, when Congress approved the Economic Opportunity Act in 1964 creating an agency within the Government to focus on and administer to the needs of the poor the United States took a giant step toward insuring equality of opportunity for all persons. Today, we have another opportunity to take still another step in that never ending journey towards equality.

The legislation we are debating today will extend the provisions of this landmark legislation for an additional 2-year term ending June 30, 1973.

Because of the President's opposition to previous amendments that were approved in November of last year, the Education and Labor Committee has reworked the provisions of this legislation to more closely coincide with the President's demands. The committee, however, has successfully been able to meet these demands and still maintain the comprehensive range of programs designed to carry out the purposes of the original 1964 legislation.

Under the provisions of these amendments we have an opportunity to expand the vital Headstart program which represents one of the best expressions of our Nation's concern for its children.

We also have an opportunity to create an independent Legal Services Corporation—a concept which has been strongly endorsed by such prestigious groups as the American Bar Association, the National Bar Association, the American Trial Lawyers Association, and a great many State and local bar associations. Placing the legal services program within the confines of a corporation would expand the scope of the program and would increase its effectiveness by removing it from the threat of political interference.

Enactment of H.R. 12350, as reported from the committee, would also enable us to continue and refine such valuable programs as the Job Corps, the Neighborhood Youth Corps, and Operation Mainstream which all address themselves to the employment problems of the disadvantaged.

Recognizing the severity of both our unemployment and environmental problems, a new special emphasis program called environmental action is included in this legislation. Environmental action has, as its primary aim, the promotion of jobs for poor people on projects which are designed to combat pollution and clean up our rapidly deteriorating environment.

It has been suggested by Mr. QUIE that we merely extend the Economic Opportunity Act for 2 years minus the perfecting amendments which the committee has recommended to strengthen the nature of the various programs. To adopt such a suggestion would be going against the commitment we made in 1964 when we took the offensive in the war on poverty. To retreat would be an injustice to the poor people for whom we have been fighting the past 8 years. In the past 8 years we have made important advancements in assisting the poor to achieve self-reliance. Success has not come easily nor quickly but our past performance has given the disadvantaged and underprivileged reason to believe that tangible improvements can be achieved so that they will not always be enslaved by their bonds of poverty.

I urge my colleagues to join with me today in supporting the bill as reported by the committee so that the faith of these people may be kept alive and so that we can continue to travel unobstructed down the road to our final destination of equality of opportunity for all.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri (Mr. ICHORD) to the amendment in the nature of a substitute offered by the gentleman from Minnesota (Mr. QUIE).

The question was taken; and on a division (demanded by Mr. ICHORD) there were—ayes 60, noes 32.

So the amendment to the amendment in the nature of a substitute was agreed to.

Mr. DELLENBACK. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, while it is usually my privilege to be arguing on the same side of questions before the House as the distinguished ranking minority member of our committee, Mr. QUIE, today I find myself in the unusual position of urging defeat of the amendment he is offering to H.R. 12350 in the nature of a substitute.

I do want to point out that I am in agreement with my colleague on the question of the expanded Headstart authorization and will support deletion of this part of the bill. But I believe it would be a serious mistake to take out title X, the establishment of the National Legal Services Corporation. In my opinion, title X as now drafted represents a reasonable and fair compromise of the different approaches which have been debated to establishing a Legal Services Corporation.

One of the major concerns throughout the debate on establishing a Legal Services Corporation has been to preserve the independence of the program. Indeed this concern was one of the major reasons the Corporation was proposed. As Edward L. Wright, distinguished president of the American Bar Association, said in testimony before our committee:

> Recurring attacks on the Legal Services program have helped shape our view that the Legal Services program should be provided a new and independent home.

At the same time the legal services program must be independent to serve its clients effectively, it must also be responsible to the Federal Government which supports it. It is not an easy task to devise a system that will preserve and protect the program's independence while insuring that it is accountable to Congress and the executive and judicial branches to the standards of the legal profession, and to whom it serves. But I believe title X included in the bill before us meets these criteria. It creates a corporation that is simultaneously independent—as a legal services program for the poor must be—and responsible.

The system by which the board will be nominated is the mechanism which insures this accountability. This system assures the balanced input of all the interests which should be involved. While the President makes selections of the 17 board members from lists submitted by the five main associations of attorneys, he can reject as many lists as he wants and ask for new lists until he is satisfied. Surely this gives him the flexibility and oversight which he should have in relation to the board of the corporation. At the same time, it insures the continued interest and involvement which the legal service program so definitely needs from the major legal associations.

I believe it is time to resolve the controversy over the transfer of the legal services program to a corporation. This move has had broad support from the administration, from Congress, from legal associations, and, in my opinion, from the interested public. There have been a number of differences in the specific approaches proposed by those who support the general concept of a National Legal Services Corporation; but I believe title X is a sound resolution of these differences. It deserves the support of the House today.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Minnesota (Mr. QUIE) as amended.

The question was taken; and the

Chairman announced that the noes appeared to have it.

TELLER VOTE WITH CLERKS

Mr. QUIE. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. QUIE. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman appointed as tellers Messrs. QUIE, MEEDS, PERKINS, and ERLENBORN.

The Committee divided, and the tellers reported that there were—ayes 159, noes 206, not voting 67, as follows:

[Roll No. 45]

[Recorded Teller Vote]

AYES—159

Abbitt	Frey	Pirnie
Abernethy	Fuqua	Poage
Andrews	Giaimo	Poff
Archer	Goldwater	Powell
Arends	Goodling	Purcell
Ashbrook	Griffin	Quie
Aspinall	Gross	Quillen
Baker	Grover	Rarick
Belcher	Hagan	Rhodes
Bevill	Haley	Roberts
Blackburn	Hall	Robinson, Va.
Brinkley	Hammer-schmidt	Rogers
Broomfield	Hansen, Idaho	Rousselot
Brotzman	Harsha	Runnels
Brown, Ohio	Harvey	Ruth
Broyhill, N.C.	Hastings	Sandman
Broyhill, Va.	Henderson	Saylor
Buchanan	Hogan	Schmitz
Burke, Fla.	Hosmer	Scott
Byrnes, Wis.	Hunt	Schneebeli
Byron	Hutchinson	Sebelius
Cabell	Johnson, Pa.	Shipley
Camp	Jonas	Shoup
Casey, Tex.	Jones, N.C.	Shriver
Cederberg	Keating	Sikes
Chamberlain	Kemp	Skubitz
Chappell	King	Smith, Calif.
Clancy	Kyl	Snyder
Clawson, Del	Landgrebe	Spence
Cleveland	Latta	Springer
Collins, Tex.	Lennon	Steiger, Ariz.
Colmer	Lent	Stuckey
Conable	Lloyd	Teague, Calif.
Crane	McClory	Teague, Tex.
Daniel, Va.	McCollister	Terry
Davis, Ga.	McCulloch	Thone
Davis, Wis.	McDonald, Mich.	Waggonner
Dennis	McKevitt	Wampler
Derwinski	McMillan	Ware
Devine	Mahon	White
Dickinson	Mailliard	Whitehurst
Dowdy	Mallary	Whitten
Downing	Mann	Widnall
Duncan	Martin	Wiggins
Edwards, Ala.	Mathis, Ga.	Williams
Erlenborn	Mayne	Wilson, Bob
Eshleman	Miller, Ohio	Winn
Evins, Tenn.	Mills, Md.	Wydler
Findley	Montgomery	Wylie
Flowers	Passman	Wyman
Flynt	Pelly	Yatron
Ford, Gerald R.	Pettis	Young, Fla.
Fountain	Preyer, N.C.	Zion
Frelinghuysen	Quillen	

NOES—206

Abourezk	Brademas	Dellenback
Abzug	Brasco	Dellums
Adams	Brooks	Denholm
Addabbo	Burke, Mass.	Dent
Albert	Burlison, Mo.	Dingell
Alexander	Burton	Donohue
Anderson, Calif.	Byrne, Pa.	Dorn
Anderson, Tenn.	Carey, N.Y.	Dow
Annunzio	Carney	Drinan
Ashley	Carter	Dulski
Aspin	Celler	du Pont
Badillo	Chisholm	Eckhardt
Barrett	Clay	Edmondson
Begich	Collins, Ill.	Edwards, Calif.
Bennett	Conte	Eilberg
Bergland	Conyers	Esch
Biaggi	Corman	Evans, Colo.
Biester	Cotter	Fascell
Bingham	Coughlin	Fish
Blanton	Culver	Flood
Boggs	Curlin	Foley
Boland	Daniels, N.J.	Ford, William D.
Bolling	Danielson	Forsythe
	Davis, S.C.	Fraser
	de la Garza	Frenzel
	Galifianakis	McKay
	Garmatz	McKinney
	Gaydos	Madden
	Gonzalez	Matsunaga
	Grasso	Mazzoli
	Gray	Meeds
	Green, Pa.	Melcher
	Griffiths	Metcalfe
	Gude	Mikva
	Halpern	Miller, Calif.
	Hamilton	Mills, Ark.
	Hanley	Minish
	Hanna	Mink
	Hansen, Wash.	Mitchell
	Harrington	Moorhead
	Hathaway	Morgan
	Hawkins	Morse
	Hays	Mosher
	Hechler, W. Va.	Moss
	Heckler, Mass.	Murphy, Ill.
	Heinz	Murphy, N.Y.
	Helstoski	Natcher
	Hicks, Mass.	Nedzi
	Hicks, Wash.	Nix
	Hillis	Obey
	Horton	O'Hara
	Howard	O'Neill
	Hull	Patten
	Hungate	Pepper
	Ichord	Perkins
	Jacobs	Peyser
	Johnson, Calif.	Pickle
	Jones, Ala.	Pike
	Karth	Podell
	Kastenmeier	Preyer, N.C.
	Kee	Price, Ill.
	Kluczynski	Railsback
	Koch	Randall
	Kyros	Rangel
	Leggett	Rees
	Long, Md.	Reid
	McCormack	Reuss
	McDade	Riegle
	McFall	Robison, N.Y.
		Rodino
		Roe
		Roncalio
		Rooney, N.Y.
		Rooney, Pa.
		Rosenthal
		Rostenkowski
		Roush
		Roy
		Roybal
		Ruppe
		Ryan
		St Germain
		Sarbanes
		Scheuer
		Schwengel
		Seiberling
		Sisk
		Slack
		Smith, Iowa
		Staggers
		Stanton, James V.
		Steele
		Steiger, Wis.
		Stephens
		Stokes
		Stratton
		Sullivan
		Symington
		Taylor
		Thompson, N.J.
		Thomson, Wis.
		Tiernan
		Udall
		Ullman
		Van Deerlin
		Vanik
		Waldie
		Whalen
		Wolff
		Wright
		Wyatt
		Yates
		Young, Tex.
		Zablocki

NOT VOTING—67

Anderson, Ill.	Gubser	Nelsen
Baring	Hébert	Nichols
Bell	Holifield	O'Konski
Betts	Jarman	Patman
Blatnik	Jones, Tenn.	Price, Tex.
Bow	Kazen	Pryor, Ark.
Bray	Keith	Pucinski
Brown, Mich.	Kuykendall	Satterfield
Burleson, Tex.	Landrum	Scherle
Caffery	Link	Smith, N.Y.
Clark	Long, La.	Stanton, J. William
Clausen, Don H.	Lujan	Steed
Collier	McCloskey	Stubblefield
Delaney	McClure	Talcott
Diggs	McEwen	Thompson, Ga.
Dwyer	Macdonald, Mass.	Vander Jagt
Edwards, La.	Mathias, Calif.	Veysey
Fisher	Michel	Vigorito
Fulton	Minshall	Whalley
Gallagher	Mizell	Wilson, Charles H.
Gettys	Mollohan	Zwach
Gibbons	Monagan	
Green, Oreg.	Myers	

Mr. BROOKS. Mr. Chairman, I ask unanimous consent, since I was in the room and asking to be recognized before the vote was announced, that I be recorded as voting "no."

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

So the amendment in the nature of a substitute, as amended, was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. (a) For the purpose of carrying out the Economic Opportunity Act of 1964 (hereinafter referred to as the "Act"), there are hereby authorized to be appropriated $2,304,066,000 for the fiscal year ending June 30, 1972; and $3,000,000,000 for the fiscal year ending June 30, 1973.

(b) Notwithstanding any other provision of law, unless expressly in limitation of the provisions of this section, of the amounts appropriated pursuant to subsection (a) of this section for the fiscal year ending June 30, 1972, and for the next fiscal year, the Director shall reserve and make available a sum sufficient to permit the funding of local initiative programs authorized under section 221 of the Act at a level not less than $350,000,000 each year.

(c) Of the sums authorized to be appropriated under subsection (a), $500,000,000 for the fiscal year ending June 30, 1972, and $1,000,000,000 for the fiscal year ending June 30, 1973, shall be for the purpose of carrying out the Project Headstart program described in section 222(a)(1) of the Act.

SEC. 3. Sections 171, 245, 321, 408, 615, and 835 of the Act are each amended by striking out "five succeeding fiscal years" and inserting in lieu thereof "seven succeeding fiscal years". Section 523 of the Act is amended by striking out "four succeeding fiscal years" and inserting in lieu thereof "six succeeding fiscal years".

SEC. 4. Section 222(a)(1) of the Act is amended by striking the comma and all the language following the words "make payment" and adding the following: "in accordance with an appropriate fee schedule established by the Secretary, based upon the ability of the family to pay, which payment may be made in whole or in part by a third party in behalf of such family, except that any such charges with respect to any family with an income of less than the lower living standard budget shall not exceed the sum of (i) an amount equal to 10 per centum of any family income which exceeds $4,320 but does not exceed 85 per centum of such lower living standard budget, and (ii) an amount equal to 15 per centum of any family income which exceeds 85 per centum of such lower living standard budget but does not exceed 100 per centum of such lower living standard budget, and, if more than two children from the same family are participating, additional charges may be made not to exceed the sum of the amounts calculated in accordance with clauses (i) and (ii) with respect to each additional child. No charge will be made with respect to any child who is a member of any family with an annual income equal to or less than $4,320, with appropriate adjustments in the case of families having more than two children, except to the extent that payment will be made by a third party. Funds appropriated for the purpose of carrying out this section shall be used first to continue ongoing Headstart projects, or new projects serving the children from low-income families in those areas which were being served during the preceding fiscal year. There shall be reserved for such projects from such funds an amount at least equal to the aggregate amount received by public or private agencies or organizations during the preceding fiscal year for programs under this section."

SEC. 5. Section 222(a)(4)(A)(ii) of the Act is amended by striking out "such services may be available on an emergency basis or pending a determination of eligibility to all residents of such areas" and inserting in lieu thereof "pursuant to such regulations as the Director may prescribe, persons provided assistance through programs assisted under this paragraph who are not members of low-income families may be required to make payment, or have payment made in their behalf, in whole or in part for such assistance".

SEC. 6. (a) Section 222(a)(8) of the Act is amended by striking out the last sentence thereof.

(b) Section 222(a)(9) of the Act is amended by striking out the last sentence and inserting in lieu thereof the following: "The Director is authorized to undertake special programs aimed at promoting employment opportunities for rehabilitated addicts and assisting employers in dealing with addiction and drug abuse problems among formerly hard-core unemployed so that they can be maintained in employment. In undertaking such programs, the Director shall give special priority to veterans and employers of significant numbers of veterans. The Director is further authorized to establish procedures and policies which will allow clients to complete a full course of rehabilitation even

though they become non-low-income by virtue of becoming employed as a part of the rehabilitation process: *Provided, however,* That there shall be no change in income eligibility criteria for initial admission to treatment and rehabilitation programs under this Act."

(c) Section 222(a) is further amended by inserting at the end thereof the following:

"(10) An 'Environmental Action' program through which low-income persons will be paid for working on projects designed to combat pollution or to improve the environment. Projects may include, without limitation: cleanup and sanitation activities, including solid waste removal; reclamation and rehabilitation of eroded or ecologically damaged areas, including areas affected by strip mining; conservation and beautification activities, including tree planting and recreation area development; the restoration and maintenance of the environment and the improvement of the quality of life in urban and rural areas.

"(11) A program to be known as 'Rural Housing Development and Rehabilitation' designed to assist low-income families in rural areas to construct and acquire ownership of adequate housing, to rehabilitate or repair existing substandard units in such areas, and to otherwise assist families in obtaining standard housing. Financial assistance under this paragraph shall be provided to rural housing development corporations serving areas which are defined by the Farmers Home Administration as rural areas, and shall be used for, but not limited to, such purposes as administrative expenses, revolving development funds, nonrevolving land, land development, and construction writedowns, rehabilitation or repair of substandard housing, and loans to low-income families. Loans under this paragraph may be used for, but not limited to, such purposes as the purchase of new housing units, the repair, rehabilitation, and purchase of existing units, and to supplement existing Federal loan programs in order that low-income families may benefit from them. The repayment period of such loans shall not exceed thirty-three years. No loans under this paragraph shall bear an interest rate of less than 1 per centum per annum, except that if the Director, after having examined the family income of the applicant, the projected housing costs of the applicant, and such other factors as he deems appropriate, determines that the applicant would otherwise be unable to participate in this program, he may waive the interest in whole or in part and for such periods of time as he may establish: *Provided, however,* That no such waiver may be granted to an applicant whose adjusted family income (as defined by the Farmers Home Administration) is in excess of $3,700 per annum: *And provided further,* That any applicant for whom such a waiver is provided shall be required to commit at least 20 per centum of his adjusted family income toward the mortgage debt service and other housing costs. Family incomes shall be recertified annually, and monthly payments for all loans under this paragraph adjusted accordingly. There are hereby authorized to be appropriated $10,000,000 for the fiscal year ending June 30, 1972, and $15,000,000 for the fiscal year ending June 30, 1973, for the purpose of carrying out this program."

SEC. 7. (a) Notwithstanding any other provision of law, the Director of the Office of Economic Opportunity shall reserve, for the purpose of section 225(a) of the Act, not more than 4 per centum of the sums appropriated for the fiscal year ending June 30, 1972, for Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands, according to their respective needs.

(b) Effective after June 30, 1972, section 225(a) of such Act is amended by striking out "Puerto Rico,".

(c) Effective after June 30, 1972, the first sentence of paragraph (1) of section 609 of such Act is amended by striking out the word "or" the second time it appears in such sentence and inserting in lieu thereof a comma and the following: "Puerto Rico, or".

SEC. 8. Section 225(c) of the Act is amended by inserting after the second sentence thereof the following new sentence: "The Director shall not require non-Federal contributions in excess of 20 per centum of the approved cost of programs or activities assisted under this Act.".

SEC. 9. After section 225 of the Act, add the following new section:

"SEC. 226. (a) In order to provide to disadvantaged youth recreation and physical fitness instruction and competition with high-quality facilities and supervision and related educational and counseling services (including instruction concerning study practices, career opportunities, job responsibilities, health and nutrition, and drug abuse education) through regular association with college instructors and athletes and exposure to college and university campuses and other recreational facilities, the Secretary of Health, Education, and Welfare shall make grants or enter into contracts for the conduct of an annual youth recreation and sports program concentrated in the summer months and with continued activities throughout the year, so as to offer disadvantaged youth living in areas of rural and urban poverty an opportunity to receive such recreation and educational instruction, information, and services and to participate in such physical fitness programs and sports competitions.

"(b) No assistance may be provided under this section unless satisfactory assurances are received that not less than 90 per centum of the youths participating in each program to be assisted under this section are from families with incomes below the poverty level, as determined by the Secretary of Health, Education, and Welfare, and that such participating youths and other neighborhood residents, through the involvement of the appropriate community action agency or otherwise, will have maximum participation in program planning and operation. The Secretary of Health, Education, and Welfare shall take such steps as are necessary to assure that at least 50 per centum of the youths and instructors participating in programs funded in whole or in part pursuant to the authority of this section are females.

"(c) Programs under this section shall be administered by the Secretary of Health, Education, and Welfare, through grants or contracts with any qualified organization of colleges and universities or such other qualified nonprofit organizations active in the field with access to appropriate recreational facilities as the Secretary of Health, Education, and Welfare shall determine in accordance with regulations which he shall prescribe. Each such grant or contract and subcontract with participating institutions of higher education or other qualified organizations active in the field shall contain provisions to assure that the program to be assisted will provide a non-Federal contribution (in cash or in kind) of no less than 20 per centum of the direct costs necessary to carry out the program. Each such grant, contract, or subcontract shall include provisions for—

"(1) providing opportunities for disadvantaged youth to engage in competitive sports and receive sports skills and physical fitness instruction and education in good health and nutrition practices;

"(2) providing such youth with instruction and information regarding study practices, career opportunities, job responsibilities, and drug abuse;

"(3) carrying out continuing related activities throughout the year;

"(4) meeting the requirements of subsection (b) of this section;

"(5) enabling the contractor and institutions of higher education or other qualified organizations active in the field located conveniently to such areas of poverty and the students and personnel of such institutions or organizations active in the field to participate more fully in the community life and in solutions of community problems; and

"(6) serving metropolitan centers of the United States and rural areas, within the limits of program resources.

(d) From the sums appropriated to carry out the provisions of this Act not more than $3,000,000 shall be allocated to carry out the purposes of this section."

SEC. 10. Section 231 of the Act is amended by adding at the end thereof the following:

"(d) If any member of a board to which section 211(b) applies files an allegation with the Director that an agency receiving assistance under this section is not observing any requirements of this Act, or any regulation, rule, or guideline promulgated by the Director under this Act, the Director shall promptly investigate such allegation and shall consider it; and, if after such investigation and consideration he finds reasonable cause to believe that the allegations are true, he shall hold a hearing, upon the conclusion of which he shall notify all interested persons of his findings. If he finds that the allegations are true, and that, after being afforded a reasonable opportunity to do so, the agency has failed to make appropriate corrections, he shall, forthwith, terminate further assistance under this title, to such agency until he has received assurances satisfactory to him that further violations will not occur."

SEC. 11. Section 244 of the Act is amended by adding at the end thereof the following:

"(8) Consistent with the provisions of this Act, the Director shall assure that financial assistance under this title will be distributed on an equitable basis in any community so that all significant segments of the low-income population are being served."

SEC. 12. Section 312(b)(3) of the Act is amended by inserting after the word "Government" the words "employment or".

SEC. 13. Section 603 of the Act is amended by adding at the end thereof the following new subsection:

"(c) No part of any funds appropriated to carry out this Act, subpart (1) of part B of title V of the Higher Education Act of 1965 as amended, or of any program administered by ACTION shall be used to finance, directly or indirectly, any activity designed to influence the outcome of any election to Federal office, or any voter registration activity, or to pay the salary of any officer or employee of the Office of Economic Opportunity, the Teacher Corps, or ACTION, who, in his official capacity as such an officer or employee, engages in any such activity. As used in this secton, the term 'election' has the same meaning given such term by section 301(a) of the Federal Election Campaign Act of 1971, and the term 'Federal office' has the same meaning given such term by section 301(c) of such Act."

SEC. 14. Section 522(d) of the Act is amended by adding a new sentence after the words "local levels." as follows: Such standards shall be no less comprehensive than the Federal interagency day care requirements as approved by the Department of Health, Education, and Welfare, the Office of Economic Opportunity, and the Department of Labor on September 23, 1968.

SEC. 15. Section 609 of the Act is amended by adding at the end thereof the following:

"(5) the term 'lower living standard budget' means that income level (adjusted for regional and metropolitan, urban and rural differences and family size) determined annually by the Bureau of Labor Statistics of the Department of Labor and referred to by such Department as the 'lower living standard budget.'"

SEC. 16. Section 616 of the Act is amended to read as follows:

"TRANSFER OF FUNDS

"SEC. 616. Notwithstanding any limitation on appropriations for any program or activity under this Act or any Act authorizing appropriations for such program or activity, not to exceed 10 per centum of the amount appropriated or allocated from any appropriation for the purpose of enabling the Director to carry out any such program or activity under the Act may be transferred and used by the Director for the purpose of carrying out any other such program or activity under the Act; but no such transfer shall result in increasing the amounts otherwise available for any program or activity by more than 10 per centum."

SEC. 17. Part A of title VI of the Act is amended by inserting at the end thereof the following:

"PROHIBITION ON THE USE OF FUNDS

"SEC. 624. No part of any funds appropriated to carry out any program administered by the Office fo Economic Opportunity or ACTION shall be used to finance any program or activity in which students in higher education perform voluntary or community service, where, as a condition for eligibility for funds, an institution of higher education is required to award credit to students for training or experience derived from such voluntary or community service."

SEC. 18. Section 632(3) of the Act is amended by inserting at the end thereof the following: "Such plan shall be presented to the Congress no later than December 31, 1971, and documents updating such plan shall be presented to the Congress no later than December 31 of each succeeding calendar year."

SEC. 19. Part B of title VI of the Act is amended by adding at the end thereof the following new section:

"GUIDELINES

"SEC. 639. Copies of all rules, regulations, guidelines, instructions, and application forms published or promulgated pursuant to this Act shall be published in the Federal Register at least thirty days prior to their effective date."

SEC. 20. (a) The Act is amended by adding at the end thereof the following new title:

"TITLE IX—EVALUATION

"SEC. 901. (a) The Director shall provide for evaluations that describe and measure the impact of programs, their effectiveness in achieving stated goals, their impact on related programs, and their structure and mechanisms for delivery of services and including, where appropriate, comparisons with appropriate control groups composed of persons who have not participated in such programs. He may, for these purposes, contract or make other arrangements for independent evaluations of those programs or individual projects.

"(b) The Director shall develop and publish standards for evaluation of program effectiveness in achieving the objectives of this Act. He shall consider the extent to which such standards have been met in deciding whether to renew or supplement financial assistance authorized under any section of this Act.

"(c) The Director may require community action agencies to provide independent evaluations.

"(d) Federal agencies administering programs related to this Act shall—

"(1) cooperate with the Director in the discharge of his responsibility to plan and conduct evaluations of such poverty-related programs as he judges appropriate, to the fullest extent permitted by other applicable law; and

"(2) provide the Director with such statistical data, program reports, and other materials as they presently collect and compile on program operations, beneficiaries, and effectiveness.

"(e) In carrying out evaluations under this title, the Director shall, whenever possible, arrange to obtain the opinions of program participants about the strengths and weaknesses of the programs.

"(f) The Director shall consult, where appropriate, with State agencies, in order to provide for jointly sponsored objective evaluation studies of programs on a State basis.

"(g) The Director shall publish the results of evaluative research and evaluations of program impact and effectiveness no later than sixty days after its completion.

"(h) The Director shall take necessary action to assure that all studies, evaluations, proposals, and data produced or developed with Federal funds shall become the property of the United States.

"(i) The Director shall publish and summarize the results of activities carried out pursuant to this title in the report required by section 608."

(b) The following provisions of the Act are repealed:

(1) Section 113(a);
(2) Section 132 (b) and (c);
(3) Section 154;
(4) Section 233; and
(5) Section 314(b).

(c) Section 632(2) of the Act is amended by striking out "carry on a continuing evaluation of all activities under this Act, and".

(d) Sections 132 and 314 are each amended by striking out "(a)".

SEC. 21. The Act is amended by adding at the end thereof the following new title:

"TITLE X—NATIONAL LEGAL SERVICES CORPORATION

"DECLARATION OF POLICY

"SEC. 1001. The Congress hereby finds and declares that—

"(1) it is in the public interest to provide greater access to attorneys and appropriate institutions for the orderly resolution of grievances and as a means of securing orderly change, responsiveness, and reform;

"(2) many low-income persons are unable to afford the cost of legal services or of access to appropriate institutions;

"(3) access to legal services and appropriate institutions for all citizens of the United States not only is a matter of private and local concern, but also is of appropriate and important concern to the Federal Government;

"(4) the integrity of the attorney-client relationship and of the adversary system of justice in the United States requires that there be no political interference with the provision and performance of legal services;

"(5) existing legal services programs have provided economical, effective, and comprehensive legal services to the client community so as to bring about a peaceful resolution of grievances through resort to orderly means of change; and

"(6) a private nonprofit corporation should be created to encourage the availability of legal services and legal institutions to all citizens of the United States, free from extraneous interference and control.

"ESTABLISHMENT OF CORPORATION

"SEC. 1002. (a) There is established a nonprofit corporation, to be known as the National Legal Services Corporation (hereinafter referred to as the 'Corporation') which shall not be an agency or establishment of the United States Government. The Corporation shall be subject to the provisions of this title, and, to the extent consistent with this title, of the District of Columbia Nonprofit Corporation Act. The right to repeal, alter, or amend this title is expressly reserved.

"(b) No part of the net earnings of the Corporation shall inure to the benefit of any private person, and it shall be treated as an organization described in section 170(c)(2)(B) of the Internal Revenue Code of 1954 and as an organization described in section 501(c)(3) of the Internal Revenue Code of 1954 which is exempt from taxation under section 501(a) of such Code.

"PROCESS OF INCORPORATION AND ORGANIZATION

"SEC. 1003. (a) There shall be a transition period of six months following the date of enactment of the Economic Opportunity Amendments of 1972 for the process of incorporation and initial organization of the Corporation.

"(b) There is established an incorporating trusteeship composed of the following persons or their designees: The Attorney General of the United States, the Director of the Office of Economic Opportunity, the Associate Director for Legal Services of the Office of Economic Opportunity, the Chairman of the Executive Committee of the National Advisory Committee to Legal Services, the president of the American Bar Association, the president of the National Legal Aid and Defender Association, the president of the Association of American Law Schools, the president of the American Trial Lawyers Association and the president of the National Bar Association. The incorporating trusteeship shall meet within thirty days after the enactment of the Economic Opportunity Amendments of 1972 to carry out the provisions of this section.

"(c)(1) Not later than sixty days after the enactment of the Economic Opportunity Amendments of 1972 the incorporating trusteeship, after consulting with and receiving the recommendations of national organizations of persons eligible for assistance under this title, shall establish the initial Clients Advisory Council to be composed of eleven members selected, in accordance with procedures established by the incorporating trusteeship, from among individuals eligible for assistance under this title.

"(2) Not later than sixty days after the enactment of the Economic Opportunity Amendments of 1972, the incorporating trusteeship, after consulting with and receiving the recommendations of associations of attorneys actively engaged in conducting legal services programs, shall establish the initial Project Attorneys Advisory Council to be composed of eleven members selected, in accordance with procedures established by the incorporating trusteeship, from among attorneys who are actively engaged in providing legal services under any existing legal services program.

"(3) To assist in carrying out the provisions of this subsection, the Director of the Office of Economic Opportunity shall compile a list of all legal services programs publicly funded during the fiscal year ending June 30, 1971, and the subsequent fiscal year and furnish such list to the incorporating trusteeship. In order to carry out the provisions of this subsection, the Director of the Office of Economic Opportunity shall make available to the incorporating trusteeship such administrative services and financial and other resources as it may require.

"(d) Not later than ninety days after the enactment of the Economic Opportunity Amendments of 1972, all lists required to be submitted as provided in section 1004(a) for persons to serve on the initial board of directors shall be submitted to the President.

"(e) During the ninety-day period of incorporation of the Corporation the incorporating trusteeship shall take whatever actions are necessary to incorporate the Corporation, including the filing of articles of incorporation under the District of Columbia Nonprofit Corporation Act, and to prepare for the first meeting of the board of directors, except the selection of the executive director of the Corporation.

"(f) During the ninety-day period immediately following the period specified in subsection (e) of this section the board shall take whatever action is necessary to prepare to begin to carry out the activities of the Corporation six months after the enactment

of the Economic Opportunity Amendments of 1972.

"DIRECTORS AND OFFICERS

"SEC. 1004 (a). The Corporation shall have a board of directors consisting of seventeen individuals appointed by the President, by and with the consent of the Senate, one of whom shall be elected annually by the board to serve as chairman. Members of the board shall be appointed as follows:

"(1) Six members shall be appointed from among individuals in the general public, not less than three of whom shall be members of the bar of the highest court of a State.

"(2) Two members shall be appointed from lists of nominees submitted by the Judicial Conference of the United States.

"(3) Two members shall be appointed from among individuals who are eligible for assistance under this title from lists of nominees submitted by the Clients Advisory Council.

"(4) Two members shall be appointed from among former legal services project attorneys from lists of nominees submitted by the Project Attorneys Advisory Council.

"(5) Five members shall be appointed as follows—

"(A) one member from lists of nominees submitted by the American Bar Association;

"(B) one member from lists of nominees submitted by the Association of American Law Schools;

"(C) one member from lists of nominees submitted by the National Bar Association;

"(D) one member from lists of nominees submitted by the National Legal Aid and Defender Association; and

"(E) one member from lists of nominees submitted by the American Trial Lawyers Association.

Each initial list and any susbequent list shall include at least three and not more than ten names for each position to be filled.

"(b) The directors appointed under subsection (a) shall be appointed for terms of three years except that—

"(1) the terms of the directors first taking office shall be effective on the ninety-first day after the enactment of the Economic Opportunity Amendments of 1972;

"(2) the terms of the directors first taking office shall expire, as designated by the President at the time of appointment, as follows—

"(A) in the case of directors appointed under paragraph (1) of section 1004(a), two at the end of three years, two at the end of two years, and two at the end of one year;

"(B) in the case of directors appointed under paragraph (2) of section 1004(a), one at the end of two years and one at the end one year;

"(C) in the case of directors appointed under paragraph (3) of section 1004(a), one at the end of three and one at the end of one year;

"(D) in the case of directors appointed under paragraph (4) of section 1004(a), one at the end of three years and one at the end of two years; and

"(E) in the case of directors appointed under paragraph (5) of section 1004(a), (i) the term of the director appointed under clause (A) shall expire at the end of three years, (ii) the term of the director appointed under clause (B) shall expire at the end of three years, (iii) the term of the director appointed under clause (C) shall expire at the end of two years, (iv) the term of the director appointed under clause (D) shall expire at the end of one year, and (v) the term of the director appointed under clause (E) shall expire at the end of one year; and

"(3) any director appointed to fill a vacancy occurring before the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

"(c) The Corporation shall have an executive director, who shall be an attorney, and such other officers, as may be named and appointed by the board of directors at rates of compensation fixed by the board, who shall serve at the pleasure of the board. No individual shall serve as executive director of the Corporation for a period in excess of six years. The executive director shall serve as a member of the board ex officio and shall serve without a vote.

"(d) No political test or qualification shall be used in selecting, appointing, or promoting any officer, attorney, or employee of the Corporation. No officers or employees of the Corporation shall receive any salary from any source other than the Corporation during the period of employment by the Corporation.

"(e) All meetings of the board, executive committee of the board, and advisory councils shall, whenever appropriate, be open to the public, and proper notice of such meetings shall be provided to interested parties and the public a reasonable time prior to such meetings.

"(f) (1) No person who is a paid employee or consultant of the Corporation or of any grantee of the Corporation may serve on the Board of Directors.

"(2) No member of the board may participate in any decision, action, or recommendation with respect to any matter which directly benefits that member or any firm or organization with which that member is then currently associated.

"(g) Any board after the initial board shall, in consultation with the respective advisory councils, provide for rules with respect to the subsequent meetings of the Clients Advisory Council and the Project Attorneys Advisory Council.

"ADVISORY COUNCILS; EXECUTIVE COMMITTEE

SEC. 1005. (a) The board, after consulting with and receiving the recommendations of national organizations of persons eligible for assistance under this title, shall provide for the selection of a Clients Advisory Council subsequent to the first such council established under section 1003(c)(1) of this title to be composed of not more than eleven members selected in accordance with procedures established by the board, including terms of office, qualifications, and method of selection and appointment, from among individuals who are eligible for assistance under this title. Such procedures must insure that all areas of the country and significant segments of the client population are represented, and in no event may more than one representative on such council be from any one State. The Clients Advisory Council shall advise the board of directors and the executive director on policy matters relating to the needs of the client community and may act as liaison between the client community and legal services programs through such activities as it deems appropriate, including informational programs in languages other than English. The Clients Advisory Council shall submit the lists of individuals for appointment as members of the board in accordance with section 1004(a).

"(b) The board, after consulting with and receiving the recommendations of associations of attorneys actively engaged in conducting legal services programs, shall provide for the selection of a Project Attorneys Advisory Council subsequent to the first such council established under section 1003(c)(2) of this title to be composed of not more than eleven members selected in accordance with procedures established by the board, including terms of office, qualifications, and method of selection and appointment, from among attorneys who are actively engaged in providing legal services under this title. Such procedures must insure that all areas of the country are represented, and in no event may more than one representative on such council be from any one State. The Project Attorneys Advisory Council shall advise the board of directors and the executive director on policy matters relating to the furnishing of legal services to members of the client community. The Project Attorneys Advisory Council shall submit the lists of individuals for appointment as members of the board in accordance with section 1004(a).

"(c) The board shall provide for sufficient resources for each Advisory Council in order to pay such reasonable travel costs and expenses as the board may determine.

"(d) The board may establish an executive committee of not less than five members nor more than seven members which shall include the chairman of the board, at least one director appointed pursuant to paragraph (1) of section 1004(a), one director appointed pursuant to paragraph (3) or (4) of section 1004(a), and one director appointed pursuant to paragraph (5), section 1004.

"ACTIVITIES AND POWERS OF THE CORPORATION

"SEC. 1006. (a) Effective six months after the enactment of the Economic Opportunity Amendments of 1972 in order to carry out the purposes of this title, the Corporation is authorized to—

"(1) provide financial assistance to qualified programs furnishing legal services to members of the client community;

"(2) provide financial assistance to pay the costs of contracts or other agreements made pursuant to section 1003 of this title;

"(3) carry out research, training, technical assistance, experimental, legal paraprofessional, and clinical assistance programs;

"(4) through financial assistance and other means, increase opportunities for legal education among individuals who are members of a minority group or who are economically disadvantaged;

"(5) provide for the collection and dissemination of information designed to coordinate and evaluate the effectiveness of the activities and programs for legal services in various parts of the country;

"(6) offer advice and assistance to all programs providing legal services and legal assistance to the client community conducted or assisted by the Federal Government including—

"(A) reviewing all grants and contracts for the provision of legal services to the client community made under other provisions of Federal law by any agency of the Federal Government and making recommendations to the appropriate Federal agency;

"(B) reviewing and making recommendations to the President and Congress concerning any proposal, whether by legislation or executive action, to establish a federally assisted program for the provision of legal services to the client community; and

"(C) upon request of the President, providing training, technical assistance, monitoring, and evaluation services to any federally assisted legal esrvices program;

"(7) establish such procedures and take such other measures as may be necessary to assure that attorneys employed by the Corporation and attorneys paid in whole or in part from funds provided by the Corporation carry out the same duties to their clients and enjoy the same protection from interference as if such an attorney was hired directly by the client, and to assure that such attorneys adhere to the same Code of Professional Responsibility and Canons of Ethics of the American Bar Association as are applicable to other attorneys;

"(8) establish standards of eligibility for the provision of legal services to be rendered by any grantee or contractee of the Corporation with special provision for priority for members of the client community whose means are least adequate to obtain private legal services;

"(9) establish policies consistent with the best standards of the legal profession to assure the integrity, effectiveness, and profes-

sional quality of the attorneys providing legal services under this title; and

"(10) carry on such other activities as would further the purposes of this title.

"(b) In the performance of the functions set forth in subsection (a), the Corporation is authorized to—

"(1) make grants, enter into contracts, leases, cooperative agreements, or other transactions, in accordance with bylaws established by the board of directors appropriate to conduct the activities of the Corporation;

"(2) accept unconditional gifts or donations of services, money, or property, real, personal, or mixed, tangible or intangible, and use, sell, or otherwise dispose of such property for the purpose of carrying out its activities;

"(3) appoint such attorneys and other professional and clerical personnel as may be required and fix their compensation in accordance with the provision of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule rates;

"(4) promulgate regulations containing criteria specifying the manner of approval of applications for grants based upon the following considerations—

"(A) the most economical, effective, and comprehensive delivery of legal services to the client community in both urban and rural areas;

"(B) peaceful resolution of grievances and resort to orderly means of seeking change; and

"(C) maximum utilization of the expertise and facilities of organizations presently specializing in the delivery of legal services to the client community;

"(5) establish and maintain a law library;

"(6) establish procedures for the conduct of legal services programs assisted by the Corporation containing a requirement that the applicant will give assurances that the program will be supervised by a policymaking board on which the members of the legal profession constitute a majority (except that the Corporation may grant waivers of this requirement in the case of a legal services program which, upon the date of enactment of the Economic Opportunity Amendments of 1972, has a majority of persons who are not lawyers on its policymaking board) and members of the client community constitute at least one-third of the members of such board.

"(c) In any case in which services, otherwise authorized, are performed for the Federal Government by the Corporation, the Corporation shall be reimbursed for the cost of such services pursuant to an agreement between the executive director of the Corporation and the head of the agency of the Federal Government concerned.

"(d) The Corporation shall insure that attorneys employed full time in programs funded by the Corporation refrain from any outside practice of law unless permitted as pro bono publico activity pursuant to guidelines established by the Corporation.

"(e) The Corporation shall insure (1) that all attorneys who are not representing a client or group of clients refrain, while engaged in activities carried on by legal services programs funded by the Corporation, from undertaking to influence the passage or defeat of any legislation by the Congress or State or local legislative bodies by representations to such bodies, their members, or committees, unles such bodies, their members, or their committees request that or committees, unless such bodies, their and (2) that no funds provided by the Corporation shall be utilized for any activity which is planned and carried out to disrupt the orderly conduct of business by the Congress or State or local legislative bodies, for any demonstration, rally, or picketing aimed at the family or home of a member of a legislative body for the purpose of influencing his actions as a member of that body, and for conducting any campaign of advertising carried on through the commercial media for the purpose of influencing the passage or defeat of legislation.

"(f) The Corporation shall insure that no attorneys or other persons employed by it or employed or engaged in programs funded by the Corporation shall, in any case, solicit the client community or any member of the client community for professional employment; and no funds of the Corporation shall be expended in pursuance of any employment which results from any such solicitation. For the purpose of this subsection, solicitation does not include mere announcement or advertisement, without more, of the fact that the National Legal Services Corporation is in existence and that its services are available to the client community, and does not include any conduct or activity which is permissible under the Code of Professional Responsibility and Canons of Ethics of the American Bar Association governing solicitation and advertising.

"(g) The Corporation shall establish guidelines for consideration of possible appeals to be implemented by each grantee or contractee of the Corporation to insure the efficient utilization of resources. Such guidelines shall in no way interfere with the attorney's responsibilities and obligations under the Canons of Professional Ethics and the Code of Professional Responsibility.

"(h) At a reasonable time prior to the Corporation's approval of any grant or contract application, the Corporation shall notify the State bar association of the State in which the recipient will offer legal services. Notification shall include a reasonable description of the grant or contract application.

"(i) No funds or personnel made available by the Corporation pursuant to this title shall be used to provide legal services with respect to any criminal proceeding.

"NONPROFIT AND NONPOLITICAL NATURE OF THE CORPORATION

"SEC. 1007. (a) The Corporation shall have no power to issue any shares of stock, or to declare or pay any dividends.

(b) No part of the income or assets of the Corporation shall insure to the benefit of any director, officer, employee, or any other individual except as reasonable compensation for services.

"(c) The Corporation may not contribute to or otherwise support any political party or candidate for elective public office.

"(d) The Corporation shall insure that all employees of legal services programs assisted by the Corporation, while engaged in activities carried on by legal services programs, refrain (1) from any partisan or nonpartisan political activity associated with a candidate for public or party office, and (2) from any voter registration activity other than legal representation or any activity to provide voters or prospective voters with transportation to the polls. Employees of the Corporation or of programs assisted by the Corporation shall not at any time identify the Corporation or the program assisted by the Corporation with any partisan or nonpartisan political activity associated with a candidate for public or party office. The Board of Directors of the Corporation shall set appropriate guidelines for the private political activities of full-time employees of the Corporation or of programs assisted by the Corporation.

"ACCESS TO RECORD AND DOCUMENTS RELATED TO THE CORPORATION

"SEC. 1008. (a) Copies of all records and documents pertinent to each grant and contract made by the Corporation shall be maintained in the principal office of the Corporation in a place readily accessible and open to public inspection during ordinary working hours for a period of at least five years subsequent to the making of such grant or contract.

"(b) Copies of all reports pertinent to the evaluation, inspection, or monitoring of grantees and contractees shall be maintained for a period of at least three years in the principal office of the Corporation subsequent to such evaluation, inspection, or monitoring visit. Upon request, the substance of such reports shall be furnished to the grantee or contractee who is the subject of the evaluation, inspection, or monitoring visit.

"(c) The Corporation shall afford notice and reasonable opportunity for comment to interested parties prior to issuing regulations and guidelines, and it shall publish in the Federal Register on a timely basis all its bylaws, regulations, and guidelines.

"(d) The Corporation shall be subject to the provisions of the Freedom of Information Act.

"FINANCING OF THE CORPORATION

"SEC. 1009. In addition to any funds reserved and made available for payment to the Corporation from appropriations for carrying out the Economic Opportunity Act of 1964 for any fiscal year, there are further authorized to be appropriated for payment to the Corporation such sums as may be necessary for any fiscal year. Funds made available to the Corporation from appropriations for any fiscal year shall remain available until expended.

"RECORDS AND AUDIT OF THE CORPORATION AND THE RECIPIENTS OF ASSISTANCE

"SEC. 1010. (a) The accounts of the Corporation shall be audited annually in accordance wtih generally accepted auditing standards by any independent licensed public accountant certified or licensed by a regulatory authority of a State or political subdivision. Each such audit shall be conducted at the place or places where the accounts of the Corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things or property belonging to or in use by the Corporation and necessary to facilitate the audit shall be made available to the person conducting the audit, consistent with the necessity of maintaining the confidentiality required by the best standards of the legal profession, and full facilities for verifying transactions with the balance, or securities held by depositories, fiscal agents, and custodians shall be afforded to any such person. The report of each such independent audit shall be included in the annual report required under this title. The audit report shall set forth the scope of the audit and include such statements as are necessary to present fairly the assets and liabilities, and surplus or deficit of the Corporation, with an analysis of the changes therein during the year, supplemented in reasonable detail by a statement of the income and expenses of the Corporation during the year, and a statement of the sources and application of funds, together with the opinion of the independent auditor of those statements.

"(b)(1) The accounts and operations of the Corporation for any fiscal year during which Federal funds are available to finance any portion of its operations may be audited annually by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States, consistent with the necessity of maintaining the confidentiality required by the best standards of the legal profession. Any such audit shall be conducted at the place or places where accounts of the Corporation are normally kept. The representative of the General Accounting Office shall have access to all books, accounts, records, reports, files, and all other papers, things, or property belong-

ing to or used by the Corporation pertaining to its accounts and operations, including the reports pertinent to the evaluation, inspection, or monitoring of grantees and contractors required to be maintained by section 1008(b) and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians. All such books, accounts, records, reports, files, papers, and property of the Corporation shall remain in the possession and custody of the Corporation.

"(2) A report of each such audit shall be made by the Comptroller General to the Congress. The report to the Congress shall contain such comments and information as the Comptroller General may deem necessary to inform the Congress of the operations and conditions of the Corporation, together with such recommendations with respect thereto as he may deem advisable. The report shall also show specifically any program, expenditure, or other transaction or undertaking observed in the course of the audit, which in the opinion of the Comptroller General, has been carried on or made without authority of law. A copy of each report shall be furnished to the executive director and to each member of the board at the time submitted to the Congress.

"(c)(1) Each grantee or contractee, other than a recipient of a fixed price contract awarded pursuant to competitive bidding procedures, under this title shall keep such records as may be reasonably necessary to fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(2) The Corporation or any of its duly authorized representatives shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent assistance received under this title. The President or any of his duly authorized representatives and the Comptroller General of the United States, or any of his duly authorized representatives shall also have access thereto for such purpose during any fiscal year for which Federal funds are available to the Corporation.

REPORTS TO CONGRESS

"SEC. 1011. The Corporation shall prepare an annual report for transmittal to the President and the Congress on or before the 30th day of January of each year, summarizing the activities of the Corporation and making such recommendations as it may deem appropriate. This report shall include findings and recommendations concerning the preservation of the attorney-client relationships and adherence to the Code of Professional Responsibility of the American Bar Association in the conduct of programs supported by the Corporation. The report shall include a comprehensive and detailed report of the operations, activities, financial condition, and accomplishments of the Corporation together with the additional views and recommendations, if any, of members of the board.

"DEFINITIONS

"SEC. 1012. As used in this title the term—

"(1) 'State' means the several States and the District of Columbia, Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands;

"(2) 'Corporation' means the National Legal Services Corporation established pursuant to this title;

"(3) 'client community' means individuals unable to obtain private legal counsel because of inadequate financial means;

"(4) 'member of the client community includes any person unable to obtain private legal counsel because of inadequate financial means;

"(5) 'legal services' includes legal advice, legal representation, legal research, education concerning legal rights and responsibilities, and similar activities (including, in areas where a significant portion of the client community speaks a language other than English as the predominant language, or is bilingual, services to those members of the client community in the appropriate language other than English);

"(6) 'legal profession' refers to that body composed of all persons admitted to practice before the highest court of at least one State of the United States; and

"(7) 'nonprofit', as applied to any foundation, corporation, or association means a foundation, corporation, or association, no part of the net earnings of which inures, or may lawfully inure to the benefit of any private shareholder or individual.

"PROHIBITION ON FEDERAL CONTROL

"SEC. 1013. Nothing contained in this title shall be deemed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the Corporation or any of its grantees or contractees or employees, or over the charter or bylaws of the Corporation, or over the attorneys providing legal services pursuant to this title, or over the members of the client community receiving legal services pursuant to this title.

"SPECIAL LIMITATIONS

"SEC. 1014. The board shall prescribe procedures to insure that—

"(1) financial assistance shall not be suspended for failure to comply with applicable terms and conditions, except in emergency situations, unless the grantee or contractee has been given reasonable notice and opportunity to show cause why such action should not be taken; and

"(2) financial assistance shall not be terminated, an application for refunding shall not be denied, and an emergency suspension of financial assistance shall not be continued for longer than thirty days, unless the grantee or contractee has been afforded reasonable notice and opportunity for a timely, full, and fair hearing.

"COORDINATION

"SEC. 1015. The President may direct that particular support functions of the Federal Government, such as the General Services Administration, the Federal telecommunications system, and other facilities, be utilized by the Corporation or its grantees or contractees to the extent not inconsistent with other applicable law.

"TRANSFER MATTERS

"SEC. 1016. (a) Notwithstanding any other provision of law, on and after such date as may be prescribed by the Director of the Office of Management and Budget, or six months after the enactment of the Economic Opportunity Amendments of 1972, whichever is the earlier, all rights of the Office of Economic Opportunity to capital equipment in the possession of legal services programs assisted pursuant to sections 222(a)(3), 230, 232, or any other provision of the Economic Opportunity Act of 1964, shall become the property of the National Legal Services Corporation.

"(b) Effective six months after the date of enactment of the Economic Opportunity Amendments of 1972, all personnel, assets, liabilities, property, and records as determined by the Director of the Office of Management and Budget to be employed, held, or used primarily in connection with any function of the Director under section 222(a)(3) of this Act shall be transferred to the Corporation. Personnel transferred (except personnel under schedule A of the excepted service) under this subsection shall be transferred in accordance with applicable laws and regulations, and shall not be reduced in classification or compensation for one year after such transfer. The Director shall take whatever action is necessary and reasonable to seek suitable employment for personnel who would otherwise be transferred pursuant to this subsection who do not wish to transfer to the Corporation.

"(c) Collective-bargaining agreements in effect on the date of enactment of the Economic Opportunity Amendments of 1972 covering employees transferred pursuant to subsection (b) of this section shall continue to be recognized by the Corporation until altered or amended pursuant to law.

"(d) Effective six months after the date of enactment of this Act, section 222(a)(3) of the Economic Opportunity Act of 1964 is repealed.

"(e) Notwithstanding any other provision of law, after the enactment of this Act but prior to the enactment of appropriations to carry out the Economic Opportunity Act of 1964 for the fiscal year ending June 30, 1972, the Director of the Office of Economic Opportunity shall, out of appropriations then available to him, make funds available to assist in meeting the organizational expenses of the Corporation and in carrying out its activities.

"(f) Title VI of the Economic Opportunity Act of 1964 is amended by inserting after section 622 thereof the following new section:

"'INDEPENDENCE OF NATIONAL LEGAL SERVICES CORPORATION

"'SEC. 623. Nothing in this Act, except title X, and no reference to this Act unless such reference refers to title X, shall be construed to affect the powers and activities of the National Legal Services Corporation.'"

SEC. 22. (a) Section 611(a) of the Older Americans Act of 1965 (42 U.S.C. 3044(b)) is amended by adding at the end thereof the following new sentence: "The Director of ACTION may approve assistance in excess of 90 per centum of the cost of the development and operation of such projects if he determines, in accordance with regulations establishing objective criteria, that such action is required in furtherance of the purposes of this section."

(b) The amendment made by subsection (a) of this section shall be effective from the date of enactment of this section. In the case of any project with respect to which, prior to such date, a grant or contract has been made under such section or with respect to any project under the Foster Grandparent program in effect prior to September 17, 1969, contributions in cash or in kind from the Bureau of Indian Affairs, Department of the Interior, toward the cost of the project may be counted as part of the cost thereof which is met from non-Federal sources.

Mr. PERKINS (during the reading). Mr. Chairman, I ask unanimous consent that the further reading of the committee amendment in the nature of a substitute be dispensed with, and that it be printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

AMENDMENT OFFERED BY MR. PEYSER

Mr. PEYSER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PEYSER: On page 50, beginning on line 19, strike out the sentence, "The Secretary of Health, Education, and Welfare shall take such steps as are necessary to assure that at least 50 per centum of the youths and instructors participating in programs funded in whole or in part pur-

suant to the authority of this section are females."

The CHAIRMAN. The gentleman from New York (Mr. PEYSER) is recognized.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman.

Mr. PERKINS. I thank the gentleman for yielding.

I am in total and complete support of the committee effort to insure through this provision that there be equitable participation of women in the summer youth program both in terms of participants and staff. I am convinced, however, based on information brought to my attention that this very rigid limitation may severely disrupt the program, particularly that aspect of it requiring that at least 50 percent of the staff be female. Because of this, I personally support the gentleman's amendment and if there are no objections on this side, we will accept it. At the same time, I do not want this to be interpreted as any lack of interest or determination on my part that there should be equitable and fair participation of women in the program.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman.

Mr. QUIE. Is this the amendment that removes the sentence from the bill which requires that at least 50 percent of the participants and instructors are of the female sex?

Mr. PEYSER. That is correct.

Mr. QUIE. The amendment simply removes that?

I will get my time and speak in opposition to it.

Mr. PEYSER. Mr. Chairman, I appreciate the comments of the gentleman from Kentucky (Mr. PERKINS) in support of this amendment.

As I gather, the gentleman from Minnesota stated that he would be in opposition to the amendment. Is that correct?

Mr. QUIE. That is correct.

Mr. PEYSER. In that case, I would like to make clear to the balance of the Members just what this amendment does.

In the bill, as it now stands, it states that 50 percent of the participants, both as coaches and participants in the program itself—at least 50 percent must be females.

Now it is certainly not the intent to do anything to remove females from this program. As a matter of fact, in the last year of operation of this summer sports program, 38 percent of the participants in the program were girls.

The problem would be if we leave this 50-percent provision in, it would be practically impossible for this program to continue because in the bill it says that the Secretary shall not fund these programs unless 50 percent are females.

This is a program that is 3 years old. It is serving thousands and thousands of children throughout this country. It is a program that 111 colleges are taking part in by donating their facilities.

In my talk with Mr. Wilkinson, director of NCAA, he told me personally every effort is made to bring girls into this program and to bring female coaches into the program. Thirty-eight percent of the participants are now female.

Last year there was one female coach hired for every 15 girls in the program. Wherever possible the effort is made to bring just as many young girls in the program as young boys. This deals with children who are at the ages of 8 to 18 and it is a program designed for summer sports activities and the general type of counseling that athletes and athletic coaches can give to young people.

I think it would be a great disservice to the girls and boys, if we were to make this a quota system which, in effect, could take this program away from all of them. I have supported every major piece of legislation pertaining to women's rights and I believe I am still acting in the best interest of women by this amendment.

Mr. ERLENBORN. Mr. Chairman, will the gentleman yield?

Mr. PEYSER. I yield to the gentleman from Illinois.

Mr. ERLENBORN. I noticed with interest that the gentleman just referred to this as a quota system. There would be a quota with a 50-percent limit. As I recall, it was Mrs. GREEN of Oregon who offered this amendment in the committee. She has been very vocal on the floor of the House in opposition to quotas in any form. I am a little bit surprised that she is not here today to defend her amendment. The way it is worded, it is not merely a quota for both sexes but only for one. This provision would allow 90 percent women in the program, with at least 50 percent. It could be as much as 90 percent; is that not correct?

Mr. PEYSER. The gentleman is perfectly correct. This obviously is a direct type quota, which I think we agreed in the House by our votes last year we did not want. I sincerely hope that the House will accept the amendment. By so doing, you will guarantee the continuance of one of the most worthwhile programs that we have for physical fitness and development that we have had in the country.

Incidentally, the bill requires that at least 90 percent of the children participating in the program must be at a poverty level or below in their family income. So we are truly reaching the people who need this help during the summer months.

I have received endorsements of the program from practically every State in the country where the program takes place, including a strong endorsement by the President himself. I hope the amendment will be adopted.

Mr. QUIE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as the gentleman from Illinois (Mr. ERLENBORN) indicated, this was an amendment offered by Mrs. GREEN in the committee, the gentlewoman from Oregon. When I offered the language of this section, which was the language accepted in conference last year, I also urged that no one raise a point of order against her offering the amendment to it then. I supported the amendment. I do not want to turn around today and vote against it. I know many Members say that this could mean that the number of women in the program could go up to 90 percent. I do not think there is any question that that would ever happen. The problem has been that there has not been the encouragement for girls to take part in the program and for women to take part in the program of instructors. That is what the gentlewoman from Oregon was recommending. I do not have all the facts and figures that she had at her disposal at that time, but rather than permitting the impression that everybody agreed here to the removal of the section, I should like to point out that the Education and Labor Committee, by a pretty substantial majority, adopted the provision, and I think we ought at least indicate that the gentlewoman still has some support for her amendment.

Mr. ERLENBORN. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I am glad to yield to the gentleman from Illinois.

Mr. ERLENBORN. I thank the gentleman for yielding. Since this provision is only a protection for females and no protection for males, would not the gentleman say that this is a "female chauvinist" position?

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York, (Mr. PEYSER).

The question was taken; and on a division (demanded by Mr. PEYSER) there were—ayes 59, noes 41.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. HAYS

Mr. HAYS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HAYS: Page 43, after line 20, insert the following:

SEC. 4. Section 211(b)(1) of the Act is amended to read as follows: "(1) one-third of the members of the board are elected public officials, or their representatives, except that if the number of elected officials reasonably available and willing to serve is less than one-third of the membership of the board, membership on the board of appointive public officials may be counted in meeting such one-third requirement,".

Mr. HAYS. Mr. Chairman, all this amendment does is to change the present law to say that the one-third who are the public officials shall be elected public officials if they are available and willing to serve. Apparently this is not clear now, and I think it should be this way, because I think we ought to have the public sector who are accountable to the people that go to the polls and vote. In some areas they have tried to get appointed public officials who have no responsibility to the people and therefore were not responsive to the way the people would like to have the program run. I think this amendment will correct that, and I do not think it will hurt the program in any way, because if elected officials do not want to serve, then they can go further along the line and get appointed public officials.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, first, let me compliment the gentleman from Ohio (Mr. HAYS) for offering this amendment.

Mr. Chairman, I personally feel this is a good amendment and will strengthen the so-called community action section of the bill and bring about more responsibility. So far as I know, there is no objection to the amendment on this of the aisle.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. HAYS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PEYSER

Mr. PEYSER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PEYSER: On page 50, line 4, strike "and" and insert in lieu thereof "and/or".

Mr. PEYSER. Mr. Chairman, I will be very brief, because we are adding just one word, but it is a very important word.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. PEYSER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CABELL

Mr. CABELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CABELL: Page 72, after line 9, insert the following:

"(9) prescribe criteria to be used in determining the level of income (considering family size and other relevant factors) which will result in a person's being unable to obtain private legal counsel because of inadequate financial means, and hence a member of the client community (as defined in section 1012(4));

And renumber paragraphs (9) and (10) as (10) and (11), respectively.

Mr. CABELL. Mr. Chairman, this is not a crippling amendment by any means, but I think it is a clarifying amendment, and I hope both sides will see fit to accept it. This will merely require whoever is in charge of the administrative agency, whether a corporation or whatever, to define as the criteria a test of means for their clients' services. There presently are no such criteria. We have had extreme difficulty in many parts of the country where people of considerable means were accepted as clients of the legal services.

This amendment does not attempt to set those criteria of itself. It seeks only to let it be known that it is the will of this Congress that this not be turned into an agency providing free legal services for all people regardless of their financial condition. It requires the administrative agency handling this program that they must set up criteria as a test of means.

Mr. MEEDS. Mr. Chairman, will the gentleman yield?

Mr. CABELL. I am glad to yield to the gentleman from Washington.

Mr. MEEDS. I appreciate what the gentleman is trying to do. If it were not already done in the bill I would join him in his efforts.

If the gentleman will look at page 83, line 11, he will find "client community" is covered under the definitions terms as follows:

"Client community" means individuals unable to obtain private legal counsel because of inadequate financial means;

All these suggestions the gentleman is making with regard to income, family size, and a number of other things are indeed to be done and are being done and will be done under the Corporation.

Mr. CABELL. I believe the gentleman will agree that that does not set forth any criteria or even acknowledge the responsibility to set criteria which can be applied uniformly. This becomes just an arbitrary thing case by case.

Mr. MEEDS. As a matter of fact, in each instance the criteria for eligibility are set up by the local committee. I do not believe the gentleman would like to have the national corporation trying to establish criteria across the Nation, because circumstances do differ.

I believe this is a thing which is much better left with the local bar committee which operates the legal services program in the area.

Mr. CABELL. It is not being done, and I do not believe it will be done on anything like a uniform basis unless they are required to publish what are their criteria.

Granted, it is thought to be the case, but we even had a case in my district just a few weeks ago, where a single man earning, and admittedly earning, from $125 to $150 a week, and still drawing supplementary unemployment compensation, was defended in a case or was the plaintiff in a case, as the case might be.

This would do what the bill does not do; that is, to have them publish and enunciate the criteria used. It does not say that there have to be uniform criteria, but at least in each area each local board would be required to have a set of guidelines that would be applied equally to all the so-called clientele.

Mr. BURTON. Mr. Chairman, will the gentleman yield?

Mr. CABELL. I am glad to yield to the gentleman from California.

Mr. BURTON. The gentleman, I gather, is not suggesting if this is adopted the same current income criteria would apply in the city of San Francisco as would apply in a small rural section?

Mr. CABELL. That is not the attempt; no.

Mr. BURTON. As I understand the gentleman, if the local public defender system or other publicly or quasi-publicly available free legal service is available, the gentleman would not contend that the restrictions here should be more restrictive than they already practice in the local communities.

Mr. CABELL. I would hope it would be somewhat more restrictive than has been practiced in my own local community, by virtue of the cases cited.

The CHAIRMAN. The time of the gentleman from Texas has expired.

(By unanimous consent, Mr. CABELL was allowed to proceed for 3 additional minutes.)

Mr. CABELL. I yield further to the gentleman from California.

Mr. BURTON. If the gentleman will permit, I will restate my question.

If legal services are currently freely available through a public agency, such as a public defender, or a quasi-public agency, as defined in some communities, where the work is done by private practitioners, but provides an equivalent service to that provided with a public defender system, if the local community has set up current income guidelines, I would hope the gentleman in the well would concur with me that those current income guidelines should not be the income guidelines contemplated if this amendment is adopted, or would not be more restrictive than income guidelines in local communities already set up for other comparable programs.

Mr. CABELL. I m not trying to restrict in this amendment or it is not the intention to restrict in this amendment the local governing boards from setting up those criteria, but the thrust of it is to see that there are criteria set up which can be the guidelines and be their governing guidelines with reference to what clients they have.

Mr. BURTON. I might say, although I for one have great reservations about the thrust in this direction because the gentleman is proposing to use a current income test rather than an income resources test, I will not oppose the amendment.

Mr. WILLIAM D. FORD. Will the gentleman yield to me?

Mr. CABELL. I am glad to yield to the gentleman.

Mr. WILLIAM D. FORD. I am inclined to support the gentleman's amendment, because as I read it the worst that can be said about it is it is redundant, if I understand it correctly. If I can have the gentleman's assurance that I understand it correctly, I will certainly support it.

On page 72 we say the corporation is authorized to:

"(8) establish standards of eligibility for the provision of legal services to be rendered by any grantee or contractee of the Corporation with special provision for priority for members of the client community whose means are least adequate to obtain private legal services;

Later in the bill we define the client community as being people unable to obtain private counsel.

As I understand it, the gentleman merely means to amplify that language to indicate that the corporation will provide general criteria to be applied by the local board or a bar committee, for example, the determining who would and who would not be eligible for such legal services.

Mr. CABELL. The gentleman is entirely correct.

Mr. WILLIAM D. FORD. With that assurance, I would like to support the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. CABELL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ICHORD

Mr. ICHORD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ICHORD:

Page 76, line 19 strike the period, insert a semicolon and add the following: "nor shall any funds or personnel made available by the Corporation pursuant to this title be used to provide legal services in civil suits to persons who have been convicted of a criminal charge where the civil suit arises out of alleged acts or failures to act connected with the criminal conviction and is brought against an officer of the court or against a law enforcement official."

Mr. ICHORD. Mr. Chairman, this is substantially the same amendment that was adopted by the House previously with the clarifying language "and is brought against an officer of the court or against a law enforcement official."

The gentleman from Michigan thought that the amendment might have application further than that intended. The gentleman from Michigan has agreed to this language.

Mr. PERKINS. Mr. Chairman, we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri (Mr. ICHORD).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. STEIGER OF WISCONSIN

Mr. STEIGER of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STEIGER of Wisconsin: Page 43, strike out lines 9 through 14, and beginning with line 21 on page 43, strike out everything through line 5 on page 45 and renumber the remaining sections accordingly.

Mr. STEIGER of Wisconsin. Mr. Chairman, as I indicated yesterday in my remarks during general debate, I intended at the time it was offered to oppose the Quie substitute and I did so. I am pleased that it was defeated.

I also made clear at that time my support for the effort to strike out the provision in this bill as reported by the Committee on Education and Labor which provides for, in my judgment, an unrealistic, and unreachable Headstart authorization of $500 million in the next fiscal year and $1 billion in the fiscal year thereafter. This amendment I have offered would strip out of the bill the add on for Headstart and the fee schedule.

Mr. Chairman, I must say in all honesty that I do this because I believe that it is not appropriate for the Committee on Education and Labor to have included this provision in the bill. There are, without question, many pluses that flow from the Headstart program. There is much to be learned from the Headstart program, but there is clearly much that we do not now know.

I think we do a serious disservice to the poverty program across the country in attempting to hold out a promise of this kind of add-on to the program, when we know very well as we are sitting and standing here today it is impossible to reach the effort to try and earmark the Headstart funds in the manner such as this bill proposes to do which may deprive the funds from the other on-going programs.

Therefore, Mr. Chairman, in order to maintain my own consistent belief in attempting to support the committee bill and in supporting an independent Legal Services Corporation, I do want to at least give the House the opportunity to strike out the add on for Headstart and the fee schedule and urge the committee to go back to its work and not try to bring this program in under this guise, but to come out with a child development program which we can support and which the President will sign.

Mr. DELLENBACK. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Wisconsin. I am glad to yield to the gentleman from Oregon.

Mr. DELLENBACK. Mr. Chairman, I commend the gentleman from Wisconsin for what he is striving to do. He, like I, is a strong supporter of sound comprehensive early childhood development legislation. I gather from the gentleman's remarks that he is not in anywise speaking against such sound development, but is merely making the point that by leaving this provision in the bill as it is at the present time, we feel that there will not be before us sound childhood development legislation.

In spite of my strong support for title X establishing the Legal Services Corporation and in spite of my conviction that we must take action to extend OEO, I must reluctantly vote against final passage of H.R. 12350 if it contains the vast expansion of the Headstart authorization included in the bill as reported by the committee. In my opinion, expanding this authorization to such an extent is dangerously misleading in two ways. First, it is misleading in terms of promising money that will most likely not be forthcoming in amounts anywhere close to the figures included in this bill. And, second, it is misleading because it is nothing more than a sham to pretend an expansion of Headstart will meet the needs of child development and care in this country.

Obviously, setting the authorization level for fiscal 1972 at $500 million is meaningless. Headstart funds have already been appropriated for this fiscal year in the amount of $376 million. We aren't deluding ourselves into thinking an additional $134 million will be appropriated if we approve this increased authorization; but we may be deluding concerned people involved with Headstart into expecting additional funds.

Furthermore, as my colleague from Minnesota pointed out yesterday, Headstart is not presently operating equitably throughout the country. Yet this bill calls for adding more of the same without taking steps to correct some of the disparities now existing. Since in my own State, only 9 percent of the eligible needy children are now being served, I can hardly see the justification of such a move.

I concur with my colleagues on the committee who signed the minority views to the Committee Report insofar as they concerned the expansion of the Headstart authorization. It is indeed erroneous to assume in any way that Headstart can meet the needs of child development or child care and development in this country, no matter if we expanded the authorization even higher. Headstart simply is not designed as a program to fill the child development gap in the Nation today.

Such an approach completely ignores all the evidence pointing to the need for coordinating the various Federal programs for early childhood development. It completely ignores the fact that public schools must be tied into any expension of Headstart or any other child development or care program. It ignores the fact that Headstart is not a perfected program by any means and, in any case, is certainly not structured to meet large-scale child development and care needs.

I believe the entire section on Headstart in H.R. 12350 is a poorly disguised attempt to pass off a massive child development program that would not begin to meet the criteria necessary. We should deal with the important question of child development programs in a separate piece of legislation, not tack it on once again to the OEO bill.

Mr. Chairman, I urge support of the gentleman's amendment.

Mr. STEIGER of Wisconsin. I appreciate very much the gentleman's contribution and I agree with the gentleman. I think it is important that we strike this out and get on with the business of the rest of the bill, pass it, and give this program a chance to do its work.

Mr. PERKINS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am a little bit surprised that the gentleman from Wisconsin (Mr. STEIGER) has offered an amendment that was really just voted on and overwhelmingly rejected.

Now, for fiscal year 1972 we only authorized $124 million more than is in the President's budget. This figure for fiscal 1972 is $78 million less than we authorized in fiscal year 1971.

Now, we do add on an extra $500 million for fiscal year 1973 for Headstart and we make available and we open the doors for the near poor to be served on the basis of a fee schedule that has heretofore been agreed to by the administration and which is very reasonable.

Mr. Chairman, we are now only servicing about 20 percent of these children in the country today that need medical, dental, nutritional, and all-around child development services.

The reason that we have authorized an extra $500 million for fiscal year 1973, is because we recognize the great basis of need to expand the program. If there is any program that has been working satisfactorily among all the so-called poverty programs it is the Headstart pro-

gram. Today we are only spending $376 million where we could spend and well spend $1 billion to take care of these children who need these services throughout the Nation.

I say to you in conclusion that the amendment offered by the gentleman from Wisconsin (Mr. STEIGER) to strike this section certainly should be voted down. I do not think it is necessary to take any more time in opposition to this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. STEIGER).

The question was taken; and on a division (demanded by Mr. STEIGER of Wisconsin) there were—ayes 26, noes 60.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. HUNGATE

Mr. HUNGATE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HUNGATE: Page 76, after line 19, insert the following:

(j) Anything herein to the contrary notwithstanding in the case of counties of less than 75,000 population, said Corporation shall provide payment at rates it finds reasonable to any client the court finds and certifies indigent in accordance with Corporation guidelines. When such client's indigency is certified the client may select his own attorney and if such an attorney notifies the Corporation of his employment prior to its completion, the Corporation shall pay a reasonable fee in accordance with its guidelines insofar as its assets extend. Not less than 20 per centum of said Corporation budget shall be set aside to meet the legal needs of those residing in counties with a population of less than 75,000.

Mr. HUNGATE. Mr. Chairman, the State of California and the Office of Economic Opportunity concluded negotiations, January 14, 1972, leading to the beginning of an experiment in professional legal services. It is expected to chart new ways to actively involve the private bar. They promise to insist on hard-headed administration and scientific evaluation, and hope it will lead to perfected systems of delivery of legal services to the poor, a pilot project field study of the so-called judicare concept as also studied in Wisconsin. The judicare study to be statewide and its feasibility evaluated considering not only economic factors but also the achievement of quality legal services for all citizens wherever they live, and the importance of an individual's freedom to choose the attorney he wishes even as he may choose his physician. Likewise, the desirability of ready availability of counsel shall be weighed. Since the time of taking legal action may determine whether one is a plaintiff or a defendant, and in some instances this can affect the outcome of a suit.

Some $2½ million has been committed to this study. It shall also consider the difference in rural and urban areas. Particularly the differences between rural areas of under 75,000 population to urban areas of 75,000 or more inhabitants. It may be the judicare program will be found preferable on a national or on a statewide basis in some cases. Perhaps judicare will be found a preferable method of delivering legal services to rural areas but not urban, and in any event, the pilot program has many worthwhile goals.

In the broadest sense we wish to learn whether there are effective and efficient ways to provide legal services to the poor beyond the traditional OEO funded legal services programs as they are now constituted. The best resources of the private bar have not yet been tapped in efforts to alleviate legal problems of the poor. If we are to be effective and efficient in the war against poverty, we must find means by which private attorneys can join in this effort.

Although the OEO legal services program does provide legal services to some of the Nation's poor, the number of attorneys needed to bring equal justice to the poor far exceeds the number now employed in legal services offices. Providing legal services to the poor is further complicated by the high percentage of poor people located in rural areas and small communities. John D. Robb, in his study "Alternative Legal Assistance Plans" in 14 Catholic Lawyer 127 (1968), found that "only 20 percent of OEO Legal Services funds have been used for programs in rural areas, although they contain 40 percent of the Nation's poor." Mr. Robb is chairman of the American Bar Association's Committee on Legal Aid and Indigent Defendants.

The American Bar Foundation has estimated that a total of 14 million to 20 million legal problems per year are generated by the poor.

If each attorney were to handle a maximum caseload of 500 cases per year, 40,000 lawyers would be required to provide adequate representation. There are approximately 2,000 lawyers in legal services offices and 316,856 in private practice in the United States. If equality in the halls of justice is the goal of the national legal services program, the exclusion of the private attorney from representing the poor is both illogical and impossible. There simply are not enough attorneys to stall legal services offices even if there were money to do so.

While the American Bar Association has not taken any specific position as to the composition of the board of directors, it seems clear that the organized bar's responsibility to the profession would preclude agreement to a board whose structure would not assure that the legal services corporation operates in accordance with professional standards and with an independence that characterizes the legal profession.

Mr. MEEDS. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman from Washington.

Mr. MEEDS. Mr. Chairman, as I read the amendment offered by the gentleman from Missouri (Mr. HUNGATE) the gentleman in his amendment is calling for a program in judicare.

Mr. HUNGATE. Yes. If I might spend just a moment here: It is an amendment identical to the one I offered previously when this bill was here. It is a so-called judicare amendment similar to the trust program followed in Wisconsin because of their concern that those in the rural areas did not have access to Legal Services or attorneys of their own choosing available to them when they needed them.

As I understand, since this time in the State of California there is a pilot program of this nature.

Mr. MEEDS. I want to point out that the bill provides on page 70 that finances can be provided by this board for the very type program that the gentleman is talking about.

In addition to that, there are presently three programs being conducted, pilot programs, to test the effectiveness under judicare. I do not know what the result will be. Some of the preliminary results indicate that the Legal Services Corporation is rendering better services for less money. But we must await the outcome of this program to get some determination.

There is presently a $2½ million program in California which, as the gentleman has suggested, is to test judicare against the Legal Services program in the various areas.

So I would suggest that this will be turned over, the legal services program presently conducted, to the Legal Services Corporation and the programs will continue to be funded.

Mr. HUNGATE. I would like to inquire if it is the gentleman's understanding, so that we will have some legislative history, I would like to inquire if we adopt the bill now proposed with the Legal Aid Corporation established—that it would have authority to continue programs of this nature, judicare programs.

Mr. MEEDS. Indeed, it does.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. I want to concur in the statement of the gentleman from Washington that in effect the Legal Services Corporation proposal, as written by the committee, does fully allow the continuation of those present demonstration projects carried on by the Office of Economic Opportunity.

Today, as you know, we have a program in Wisconsin and in California where the OEO is beginning a judicare program at a level of $2.5 million. It is about 4 percent of the Legal Services budget.

So I think it is quite clear that there is an interest on the part of those in Legal Services to try to find a way to try to effectively use the private attorneys.

There is one other point that I would like to make to the gentleman from Missouri that is:

The House of Delegates of the American Bar Association has approved the recommendation of the Board of Governors that a special subcommittee of the Board of Governors be appointed to examine the proper utilization of the private practicing lawyer in rendering legal services to the poor; this subcommittee among other things to review the American Bar Foundation Study.

Thus, Mr. Chairman, much work is being done in this field. I believe that we should await the outcome of the ABA

study and the results of the OEO experiments before moving to adopt the Hungate amendment.

Clearly, the point that the gentleman is making is one well worth making and an important one.

Mr. HUNGATE. If I may understand then, the gentleman from Washington and the gentleman from Wisconsin, both members of the committee, as a part of the legislative history, their understanding is that the Legal Corporation could continue the program?

Mr. STEIGER of Wisconsin. The answer is—yes.

Mr. MEEDS. The answer is—yes.

Mr. DENNIS. Mr. Chairman, will the gentleman yield?

Mr. HUNGATE. I yield to the gentleman.

Mr. DENNIS. I would like to say that the gentleman from Missouri, I think, may have something that has a great deal of merit. For my own information, in view of all the colloquy that has gone along here, I would like very much to know exactly what the gentleman's amendment does provide.

Mr. HUNGATE. As the poet once said:

When I wrote this, God and I knew what it meant—now only God knows.

The purpose of this is to make certain that rural areas are not treated exactly the same as cities when you try to get legal aid service wherein in a large city with 75,000 population or more you have a stable of lawyers, and all this is centralized and you can go and pick a lawyer, and if you do not like one lawyer, you can get another. If you have a case on Monday, you can sue on Monday.

The judicare program can enable him to go to any attorney. If they live in a rural area where they do not have a large legal aid office, they can go to any attorney, and the sequitur would be compensated by the judicare program.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. HUNGATE. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

AMENDMENT OFFERED BY MR. SCHEUER

Mr. SCHEUER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHEUER: On Page 53, after line 6, insert the following new section:

SEC. 9 Part C of Title II of the Act is amended by adding at the end thereof the following new section:

"SEC. 234. (a) The Director may contract or provide financial assistance for projects conducted by public or private agencies which are designed to serve groups of low-income individuals who are not being effectively served by other programs under this title. In administering this section the Director shall give special consideration to programs designed to assist older persons who are not being effectively served by other programs under this title.

"(b) For the purpose of carrying out this section there are hereby authorized to be appropriated (in addition to the amounts authorized by Section 2(a) of the Economic Opportunity Amendments of 1971) $50 million for the fiscal year ending June 30, 1972, and for each succeeding fiscal year such sums as may be necessary."

And renumber the following sections accordingly.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes in support of his amendment.

Mr. SCHEUER. Mr. Chairman, for almost 8 years the Office of Economic Opportunity has been the controversial cutting edge of the Federal Government's attack on the ravages of poverty. I have been a consistent defender of OEO programs throughout the 1960's, and I will continue to support their maintenance and expansion in the 1970's.

However, there is room for improvement in at least one vital area of the agency's operations; its programing for the elderly poor. I am offering an amendment to this bill which would authorize an additional $50 million for new programs to serve the poor, particularly the elderly poor, who are being underserved by the present OEO program.

The need for such an amendment became quite clear toward the close of the hearings of the Education and Labor Committee last year on the Economic Opportunity Act. First, let me review briefly the relevant history of this act.

From its inception, OEO has ignored large parts of the poverty problem. The war on poverty was directed toward eliminating poverty in specifically defined poverty communities. If you were poor, but lived outside the boundaries of these target areas, you generally could not participate in OEO programs.

This geographic definition of poverty does encompass about 80 percent of the Nation's poor, but it does not include a large portion of the elderly poor. Many of the elderly become poor only upon reaching old age, when they continue to reside in the same areas as they did prior to the sharp decline in their incomes.

These areas were never designated as areas with significant concentrations of poor to be served by the poverty program, and they are not so designated today. The various indicies used to define poverty areas, such as live births in hospital wards and juvenile delinquency rates, tend to exclude those areas where the elderly poor live. Thus, these individuals are effectively excluded from participation in the poverty program.

Even beyond this exclusion, OEO's original mandate had little emphasis on solving the problems of the elderly poor. OEO was primarily intended to help poor people change their condition—to break the shackles of the cycle of poverty—and not simply to make life below the poverty line more comfortable. As a consequence, the program has been directed at the young, with the hope of moving them out of poverty. The elderly poor have been more or less written off and condemned to live the rest of their lives on the scrap heap of poverty.

Congress sought to right this wrong in 1967 when it enacted a number of amendments to the Economic Opportunity Act designed to bring greater attention and program resources to bear on the problems of the elderly. In addition to staffing "that whenever feasible, the special problems of the elderly poor shall be considered in the development, conduct, and administration of programs under this Act," a specific program called Senior Opportunities and Services was established.

These amendments placed responsibility for addressing the problems of the elderly poor squarely on EOE's shoulders, but the agency has not met that responsibility.

Although the SOS appropriations have increased from $2 to $8 million, they have remained constant since fiscal year 1971. These SOS funds are consistently and heavily oversubscribed. Last October, 163 proposals had been approved for a total of $18.3 million, but were not funded for lack of funds. The National Council on the Aging testified before the Education and Labor Committee that more than $50 million could have been used this fiscal year in SOS programs, but were rejected due to a lack of funds and a lack of emphasis upon programs for the elderly.

While the elderly benefit to some extent from other OEO intergenerational programs in the areas of health, employment, legal services, et cetera, no one can say how much benefit they derive from these programs. Most of them are delivered primarily in the designated poverty areas, which, as I have already pointed out, do not include most of the elderly poor.

In a survey of Community Action Agencies by OEO in October 1971, only 295 of 768 agencies responding had any special elderly programs at all, even though 753 of them considered the problems of elderly persons as high priority items. The National Association for Community Development reflected this priority when it adopted a national resolution calling for additional funding for elderly persons.

The amendment I am offering will insure that at least $50 million will be earmarked for programs serving the elderly poor and others who are currently underserved by the poverty program. This earmarking is absolutely necessary if we are to reverse the low priority given to the treating of the problems of the elderly in OEO programs. It will not detract from any other OEO program, since it stands as a separate authorization above and beyond other existing programs.

Without such an authorization, the Congress will once again be forced to rely on the discretion of the administration, which has shown its support for the elderly to be more rhetorical than real in the past few years. Those who would oppose this amendment on the grounds that it wrongfully deprives the executive branch of the flexibility and discretion OEO needs to operate effectively must justify the use of that discretion in the past. OEO, as I have already shown, has been insensitive to the magnitude and scope of the needs of the elderly—they have used their programing discretion to all but ignore the problems of our senior citizens. This amendment will reserve at least a small portion of OEO's total authorization for serving the needs of the poverty population which has

been largely overlooked by OEO, particularly the elderly poor.

Mr. Chairman, this is not a frivolous amendment. It is designed to significantly alter the direction and emphasis of OEO programing so that large portions of the poverty population, heretofore excluded from antipoverty programs, are included. The over 5 million elderly Americans who fall below the poverty line, nearly 100,000 more than in 1968, are the poorest of the poor. Two million elderly couples have a combined income of only $50 per week, and half of the aging Americans who live alone must do it on a total income of less than $30 per week. We cannot allow OEO to continue to commit such a tiny portion of its resources to such a massive problem.

OEO's expertise in research and development is highly relevant to the delivery of services to the elderly. The White House Conference on Aging placed great stress in its recommendations on discovering and developing new approaches to all the unique problems of the elderly in health care, housing, retirement roles and activities, transportation, legal services, and police protection.

Such imaginative programing has always been OEO's strongest point. Just one of the telegrams I have received in support of this amendment illustrates how this money might be put to use. It is from W. P. McKinney, coordinator of senior citizens activities, Bowie County Economic Advancement Corp., Texarkana, Tex. He says:

Community Action Agencies could buy their own vehicles and establish routes for the convenience of the Aging to go to doctors, shopping, recreation and other activities; to establish vocational, technical or educational programs to teaching the aging a skill that could be used after retirement age for those who care to keep working; make grants to aging for small repairs to housing as most of the aging are not eligible for loans due to low retirement income; set up a drug bank with the assistance of local pharmacists, and cater strictly to the prescription needs of the elderly; establish centers where employees could call in jobs that could be accomplished by the aging—the centers could be manned by aging and elderly people looking for jobs could go there for applications.

Similar needs are waiting to be met in communities across the length and breadth of this country. All that is lacking is the commitment and resources to meet them. My amendment will provide those resources, and a resounding vote in support of that amendment will provide the commitment.

Mr. RANDALL. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. I am happy to yield to the gentleman from Missouri (Mr. RANDALL). First, I wish to thank my colleague for his great support and his efforts in improving the bill.

Mr. RANDALL. The gentleman is talking about an amendment that I hope will be accepted, but in any event there should not be any serious opposition to it. There have been those who have been asking for some sort of equitable division between the rural areas and the urban areas. Here is a way we can do something for the rural areas and do something for our elderly poor at the same time. This is a very significant amendment.

A survey in October of 1971 revealed that out of 768 agencies, much less than half of them, only 290, had any special program of any kind for elderly Americans.

Mr. SCHEUER. Is it not true that the same survey indicated that about 98 percent of them agreed the problems of the elderly poor should have a higher priority?

Mr. RANDALL. Yes, and if the gentleman will yield further, I think the time has come for those who say they are for more programs for the aged to prove that they really mean what they say by supporting this amendment. All along the OEO has said they intend to implement this program. They have said so since 1967. Yet, if you search from one end of this bill to the other, you will not find any program to do so and, if you look at the budget, that great, big, thick book, you will find exactly $8 million for programs for the elderly poor anywhere connected with the poverty program.

Mr. SCHEUER. I thank my colleague.

Mr. PERKINS. Mr. Chairman, will the gentleman yield to me?

Mr. SCHEUER. I am happy to yield to the distinguished chairman.

Mr. PERKINS. Let me state that the gentleman in the well (Mr. SCHEUER) has always advocated more support for the elderly. I personally hope that if the amendment is adopted, the Director will utilize the funds in such a way as to make a better distribution than he has in the past, in seeing that the rural areas participate to the extent that poverty exists in rural areas. I personally have no objection to the amendment.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. SCHEUER. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, I have a question of the gentleman from New York. Is the administration to serve groups of low-income individuals who are not being effectively served by other programs under this title? Why does the gentleman not include those served under any other programs of the Federal Government? As long as they are served under any other program effectively, then they should not use this money on those who are being effectively served under any other programs of the Federal Government.

Mr. SCHEUER. This is a poverty program, and we are simply saying the poverty-stricken people who are not being served under any other elements of this program shall be the special focus of this rather small $50 million. They are predominantly the elderly poor.

Mr. QUIE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to ask the gentleman from New York a further question. I know this is a poverty program, but there are other poverty programs as well. If the older people are presently being served under other poverty programs of the Federal Government—as the gentleman knows, we are trying to upgrade the Older Americans Act, and the gentleman from Indiana (Mr. BRADEMAS) has assured us there would be hearings on that bill. It seems to me that bill would be the proper place to expand programs for senior citizens. Why does the gentleman limit it in that respect?

Mr. SCHEUER. We do not exclude younger people who receive assistance under the manpower bill from being helped under this bill. We do not exclude those people who are being helped under the Elementary and Secondary Education Act. A very small portion of this program, $50 million, is to be reserved for those whose need is not being focused on by other elements of the poverty program.

The elderly constitute 20 percent of the poor, but they are receiving only somewhere around 1 or 2 percent of the funds expended under the poverty program. I have had over 200 telegrams on this subject. I have never received such an inundation, not only from groups representing the poor, but also community action agencies and social service agencies of all kinds. I could paper this House with such telegrams.

Mr. QUIE. But the people who wrote those telegrams really did not look at the details of the gentleman's amendment. Please do not use the telegrams as support for the details of the amendment.

Mr. Chairman, there are other individuals, the nonelderly, who are served by this poverty program who do not have their authorization written in this manner. I am talking about what I think is faulty drafting of this amendment, particularly where it says "will be for those who are not taken care of elsewhere in this program." It should say "other programs of the Federal Government."

I am not in any way criticizing the gentleman's attempt to see that the Federal legislation provides additional funds or programs for those who are elderly, because they have contributed so much to our society.

Mr. SCHEUER. I am not saying there is no Federal program to help the elderly poor. Obviously many of the elderly poor are living on welfare, so if we exclude the people who are living on welfare checks of $30 a week, then this would not apply at all. What I am saying is that the people who are living on welfare are deeply rooted in poverty. Many of them have worked hard and long all their lives, and they are now among the elderly poor.

Mr. QUIE. Let me say this: Some elderly are served by Federal programs. There are others served by Federal programs who are not effectively served. But it is by other programs, not just programs under this title. For that reason it seems to me it would have been better if the gentleman had included anyone not served by Federal programs rather than restricting it to this title.

Mr. SCHEUER. If they are not in poverty they would not be eligible for help here. If they are not in the poverty income category, I say to the gentleman from Minnesota, they would not be eligible for help under this special section. It would be only if living in poverty—ipso facto, not being served by anybody,

any institution public or private—they would be eligible for help.

Mr. QUIE. Does low income persons, as the gentleman has it here, mean those in poverty?

Mr. SCHEUER. Definitely.

Mr. QUIE. That clarification makes it more acceptable to me.

Mr. RANDALL. The words are "effectively served by other programs under this title." It seems to me if there are any programs that cures it. If there are not, that is what we seek to do.

Look at the sentence:

In administering this section the Director shall give special consideration to programs designed to assist older persons who are not being effectively served by other programs under this title.

If they are being served, no one is being hurt, but if they are not being served this provides for them.

Mr. QUIE. In that sense, as the gentleman from Missouri is reading it, I would have dropped those words "under this title."

Mr. RANDALL. If the gentleman agrees, that could be done.

Mr. SCHEUER. If, no matter what other Government programs there are, they are still poor, they would be entitled to be served. If the other programs lift them out of the poverty category they would not be entitled to be served.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. SCHEUER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. THOMSON OF WISCONSIN

Mr. THOMSON of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMSON of Wisconsin: On page 53, line 12, after the word "community" insert the following: "and within any State".

Mr. THOMSON of Wisconsin. Mr. Chairman, earlier in the general debate I had a colloquy with the gentleman from Kentucky, the chairman of the committee, who substantially agreed with me that there was some discrimination which was of a broader nature than that in a single community, the discrimination as between the allocations made in urban America and those made in rural America.

In my State of Wisconsin there are significant discriminations against rural America and the people living there. Unemployment is higher in the rural sector than it is in the urban sector. There is a much higher percentage of low-income families in the rural area than in the urban area. And there are fewer people 25 years of age who have graduated from high school in the rural communities than there are in the urban communities.

Every standard they use to distribute the money justifies greater consideration of people living in rural America. So my amendment simply says that in addition to assuring that financial assistance is distributed on an equitable basis in any community I want it to apply to the State, to assure that those rural people are going to receive equitable consideration with those in the urban areas.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I am pleased to yield to the chairman.

Mr. PERKINS. Mr. Chairman, the distinguished gentleman's amendment is an improvement over the committee amendment. I personally feel that we should have a more equitable distribution. I know of no objection to the amendment, and we accept the amendment.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wisconsin. I yield to the gentleman from Minnesota.

Mr. QUIE. I want to congratulate the gentleman for his perception and for his amendment. I believe the amendment truly improves this section.

Mr. THOMSON of Wisconsin. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. THOMSON).

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments to be proposed? If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROONEY of New York, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 12350) to provide for the continuation of programs authorized under the Economic Opportunity Act of 1964, and for other purposes, pursuant to House Resolution 811, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. QUIE. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. QUIE moves to recommit the bill, H.R. 12350, to the Committee on Education and Labor with instructions that it be reported forthwith back to the House with the following amendment.

Strike out everything after the enacting clause and insert in lieu thereof the following:

That this Act may be cited as the "Economic Opportunity Amendments of 1972".

SEC. 2. For the purpose of carrying out the Economic Opportunity Act of 1964 (hereinafter referred to as the "Act"), there are hereby authorized to be appropriated $2,058,500,000 for the fiscal year ending June 30, 1972, and $2,109,800,000 for the fiscal year ending June 30, 1973.

SEC. 3. Sections 171, 245, 321, 408, 615, and 835 of the Act are each amended by striking out "five succeeding fiscal years" and inserting in lieu thereof "seven succeeding fiscal years". Section 523 of the Act is amended by striking out "four succeeding fiscal years" and inserting in lieu thereof "six succeeding fiscal years".

Mr. QUIE (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the motion to recommit be dispensed with and that it be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. PERKINS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 234, nays 127, not voting 70, as follows:

[Roll No. 46]

YEAS—234

Abourezk	Daniels, N.J.	Hechler, W. Va.
Abzug	Danielson	Heckler, Mass.
Adams	Davis, Ga.	Heinz
Addabbo	Davis, S.C.	Helstoski
Alexander	de la Garza	Hicks, Mass.
Anderson, Calif.	Dellums	Hicks, Wash.
	Denholm	Hillis
Anderson, Tenn.	Dent	Horton
	Donohue	Howard
Andrews	Dorn	Hungate
Annunzio	Dow	Jacobs
Ashley	Drinan	Johnson, Calif.
Aspin	Dulski	Johnson, Pa.
Aspinall	du Pont	Jones, Ala.
Badillo	Eckhardt	Karth
Barrett	Edmondson	Kastenmeier
Begich	Eilberg	Keating
Bennett	Esch	Kee
Bergland	Evans, Colo.	Kluczynski
Biaggi	Evins, Tenn.	Koch
Biester	Fascell	Kyros
Bingham	Fish	Leggett
Blanton	Flood	Lloyd
Boggs	Foley	Long, Md.
Boland	Ford, William D.	McCormack
Bolling		McCulloch
Brademas	Forsythe	McDade
Brasco	Fraser	McFall
Brooks	Frenzel	McKay
Brown, Ohio	Galifianakis	McKinney
Burke, Mass.	Garmatz	McMillan
Burlison, Mo.	Gaydos	Madden
Burton	Gibbons	Mailliard
Byrne, Pa.	Gonzalez	Mallary
Byron	Grasso	Matsunaga
Carey, N.Y.	Gray	Mazzoli
Carney	Green, Pa.	Meeds
Carter	Gude	Melcher
Celler	Halpern	Metcalfe
Chamberlain	Hamilton	Mikva
Chisholm	Hammer-schmidt	Miller, Calif.
Clay		Mills, Ark.
Cleveland	Hanley	Minish
Collins, Ill.	Hanna	Mink
Conte	Hansen, Wash.	Mitchell
Conyers	Harrington	Mollohan
Corman	Harsha	Monagan
Cotter	Harvey	Moorhead
Coughlin	Hathaway	Morgan
Culver	Hawkins	Morse
Curlin	Hays	Mosher

Moss	Roncalio	Stratton
Murphy, Ill.	Rooney, N.Y.	Stuckey
Murphy, N.Y.	Rooney, Pa.	Sullivan
Natcher	Rosenthal	Symington
Nedzi	Rostenkowski	Taylor
Nix	Roush	Thompson, N.J.
Obey	Roy	Thomson, Wis.
O'Hara	Roybal	Tiernan
O'Neill	Runnels	Udall
Patten	Ruppe	Ullman
Pepper	Ryan	Van Deerlin
Perkins	St Germain	Vanik
Pettis	Sarbanes	Waldie
Peyser	Scheuer	Wampler
Pickle	Schwengel	Whalen
Podell	Seiberling	White
Powell	Shipley	Widnall
Preyer, N.C.	Shriver	Winn
Price, Ill.	Sisk	Wolff
Purcell	Skubitz	Wright
Railsback	Slack	Wyatt
Randall	Smith, Iowa	Wydler
Rangel	Staggers	Wylie
Rees	Stanton,	Wyman
Reid	James V.	Yates
Reuss	Steele	Yatron
Riegle	Steiger, Wis.	Young, Tex.
Rodino	Stephens	Zablocki
Roe	Stokes	

NAYS—127

Abbitt	Fountain	Passman
Abernethy	Frelinghuysen	Pelly
Archer	Frey	Pike
Arends	Fuqua	Pirnie
Ashbrook	Giaimo	Poage
Baker	Goldwater	Poff
Belcher	Goodling	Quie
Bevill	Griffin	Quillen
Blackburn	Gross	Rarick
Brinkley	Grover	Rhodes
Broomfield	Hagan	Roberts
Brotzman	Haley	Robinson, Va.
Broyhill, N.C.	Hall	Robison, N.Y.
Broyhill, Va.	Hansen, Idaho	Rogers
Buchanan	Hébert	Rousselot
Burke, Fla.	Henderson	Ruth
Byrnes, Wis.	Hosmer	Sandman
Cabell	Hull	Satterfield
Camp	Hunt	Saylor
Casey, Tex.	Hutchinson	Schmitz
Cederberg	Jonas	Schneebeli
Chappell	Jones, N.C.	Scott
Clawson, Del	King	Sebelius
Collins, Tex.	Kuykendall	Shoup
Colmer	Kyl	Sikes
Conable	Landgrebe	Smith, Calif.
Crane	Latta	Snyder
Daniel, Va.	Lennon	Spence
Davis, Wis.	Lent	Springer
Dellenback	McClory	Steiger, Ariz.
Dennis	McCollister	Teague, Calif.
Derwinski	McDonald,	Teague, Tex.
Dickinson	Mich.	Terry
Dowdy	McKevitt	Thone
Downing	Mahon	Waggonner
Duncan	Mann	Ware
Edwards, Ala.	Martin	Whitehurst
Erlenborn	Mathis, Ga.	Whitten
Eshleman	Mayne	Wiggins
Findley	Miller, Ohio	Williams
Flowers	Mills, Md.	Wilson, Bob
Flynt	Montgomery	Young, Fla.
Ford, Gerald R.	Nelsen	

NOT VOTING—70

Anderson, Ill.	Gettys	Mizell
Baring	Green, Oreg.	Myers
Bell	Griffiths	Nichols
Betts	Gubser	O'Konski
Blatnik	Hastings	Patman
Bow	Hogan	Price, Tex.
Bray	Holifield	Pryor, Ark.
Brown, Mich.	Ichord	Pucinski
Burleson, Tex.	Jarman	Scherle
Caffery	Jones, Tenn.	Smith, N.Y.
Clancy	Kazen	Stanton,
Clark	Keith	J. William
Clausen,	Kemp	Steed
Don H.	Landrum	Stubblefield
Collier	Link	Talcott
Delaney	Long, La.	Thompson, Ga.
Devine	Lujan	Vander Jagt
Diggs	McCloskey	Veysey
Dingell	McClure	Vigorito
Dwyer	McEwen	Whalley
Edwards, Calif.	Macdonald,	Wilson,
Edwards, La.	Mass.	Charles H.
Fisher	Mathias, Calif.	Zion
Fulton	Michel	Zwach
Gallagher	Minshall	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Fulton for, with Mr. Burleson of Texas against.

Mr. Edwards of California for, with Mr. Nichols against.

Mr. Stubblefield for, with Mr. Baring against.

Mr. Vigorito for, with Mr. Fisher against.

Mr. Holifield for, with Mrs. Green of Oregon against.

Mr. Blatnik for, with Mr. Long of Louisiana against.

Mr. Gallagher for, with Mr. Smith of New York against.

Mr. Macdonald of Massachusetts for, with Mr. Caffery against.

Mr. Charles H. Wilson for, with Mr. Gettys against.

Mr. Edwards of Louisiana for, with Mr. Jarman against.

Mr. Diggs for, with Mr. Landrum against.

Mr. Dingell for, with Mr. Zion against.

Mr. Anderson of Illinois for, with Mr. Veysey against.

Mrs. Dwyer for, with Mr. Betts against.

Mr. McCloskey for, with Mr. Kemp against.

Mr. Keith for, with Mr. Michel against.

Mr. Clark for, with Mr. Myers against.

Mr. Link for,with Mr. Talcott against.

Mr. Kazen for, with Mr. Devine against.

Mr. Jones of Tennessee for, with Mr. McEwen against.

Mr. Delaney for, with Mr. Price of Texas against.

Mrs. Griffiths for, with Mr. Lujan against.

Mr. Pryor of Arkansas for, with Mr. Scherle against.

Mr. Pucinski for, with Mr. Hastings against.

Mr. Steed for, with Mr. Clancy against.

Mr. Patman for, with Mr. Mizell against.

Mr. Bell for, with Mr. J. William Stanton against.

Until further notice:

Mr. Ichord with Mr. Bow.

Mr. Whalley with Mr. Minshall.

Mr. O'Konski with Mr. Bray.

Mr. Thompson of Georgia with Mr. Vander Jagt.

Mr. Brown of Michigan with Mr. Collier.

Mr. Don H. Clausen with Mr. Mathias of California.

Mr. McClure with Mr. Hogan.

Mr. Gubser with Mr. Zwach.

Mr. CABELL changed his vote from "yea" to "nay."

Messrs. WYMAN and CHAMBERLAIN changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MAZZOLI. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to extend their remarks on the bill just passed, H.R. 12350.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

LEGISLATIVE PROGRAM

(Mr. ARENDS asked and was given permission to address the House for 1 minute.)

Mr. ARENDS. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader to kindly advise us of the program for the remainder of this week and the following week.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Louisiana.

Mr. BOGGS. In response to the inquiry of the distinguished minority whip, we have completed the program for this week.

Monday the order is for the reading of President Washington's Farewell Address. That will be the only business.

Tuesday will be the call of the Consent Calendar and consideration of three conference reports, as follows:

S. 748, the Inter-American Development Bank;

S. 749, the Asian Development Bank; and,

S. 2010, the International Development Association.

For Wednesday and the balance of the week there are scheduled:

H.R. 12931, Rural Development Act of 1972, subject to a rule being granted; and,

H.R. 11021, Noise Control Act of 1972, subject to a rule being granted.

Conference reports may be called up at any time.

Mr. ARENDS. I thank the gentleman.

AUTHORIZING CALL OF CONSENT CALENDAR ON TUESDAY, FEBRUARY 22, 1972

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that on Tuesday, February 22, 1972, it shall be in order to consider business under clause 4, rule XIII, the Consent Calendar rule.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. GROSS. Mr. Speaker, reserving the right to object, may I ask the gentleman to restate that request?

Mr. BOGGS. Stated informally, I am asking unanimous consent to consider on Tuesday eight unanimous consent bills now on the Consent Calendar, which would normally be considered on Monday, but which are not being considered because of George Washington's Birthday.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

ADJOURNMENT OVER TO MONDAY NEXT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next, February 21.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the business in order

under the calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO FILE REPORT ON H.R. 11021 UNTIL MIDNIGHT SATURDAY

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight Saturday, February 19, to file a report on H.R. 11021—the Noise Control Act of 1971.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

APPOINTMENT OF CONFEREES ON S. 2097, SPECIAL ACTION OFFICE FOR DRUG ABUSE PREVENTION

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2097) to establish a Special Action Office for Drug Abuse Prevention and to concentrate the resources of the Nation against the problem of drug abuse, with a House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia? The Chair hears none, and appoints the following conferees: Messrs. STAGGERS, ROGERS, SATTERFIELD, KYROS, PREYER of North Carolina, SYMINGTON, ROY, SPRINGER, NELSEN, CARTER, HASTINGS, and SCHMITZ.

UNWARRANTED ATTACK ON THE HOUSEWIFE

(Mr. BADILLO asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BADILLO. Mr. Speaker, Secretary of Agriculture Earl L. Butz launched this week what I consider a totally unwarranted attack on the American housewife, accusing her of being responsible for the high price of meat.

This attack would be incredible, were it not for the consistent record of the Nixon administration for putting the blame for our economic difficulties every place except where it properly belongs.

Secretary Butz said the high price of meat was the direct result of increased purchasing power, overlooking the fact that virtually all of that increase has been eaten up by inflation.

It is long past time that this administration took steps to protect the American consumer with the same degree of devotion that it has shielded the giants of industry. If Secretary Butz' charge is the official position of the Nixon administration, then it is up to Congress to launch its own investigation into the high price of meat. I am confident that such an investigation would prove these price increases to be caused by excessive profits in the meat-packing, processing and distribution industries, and in no way the result of housewives' buying patterns.

I present for the information of my colleagues the New York Daily News account of Mr. Butz' statement:

[From the Daily News, Wednesday, Feb. 16, 1972]

BUTZ ROASTS THE HOUSEWIFE: BLAMES HER FOR HIGH MEAT PRICES

(By Jerome Cahill)

WASHINGTON, February 15—Agriculture Secretary Earl L. Butz put the blame today squarely on the American housewife for rising meat prices.

Testifying before the congressional Joint Economic Committee, Butz maintained that beef and pork have climbed to new price highs because it's a case of "Mrs. Smith bidding against Mrs. Brown" over the meat counter.

"Mrs. Housewife has so much income—supplemented with food stamps and everything else—she has created tremendous demands for meat," the agriculture secretary told the committee.

OPPOSES CONTROLS

Butz, who has been touring the restive farm belt gloating in public over the higher livestock prices, opposed placing raw agricultural products, including meat, under President Nixon's price controls. They are now exempt, but Butz said he did not know how much of the recent increases were due to this fact.

Liberalizing quotas on beef imported from Australia and New Zealand, a step the administration is considering, would have only a "negligible" effect on domestic prices, Butz said. He noted that a 10% increase in foreign meats would boost over-all United States meat supplies by only 0.5%. The impact, he said, "would be more emotional than economic."

Butz said the purchasing power of the average American family rose 4% last year and will climb 7% in 1972. This, he said, was "the primary cause" of higher food prices. He explained:

CITES RISE IN COSTS

"We've got more and more to spend. We eat out more . . . women don't bake a cake any more—they stir it up."

Butz also cited the increased cost of packaging and processing.

Repeating his determination to "fight like a wounded steer" against any meat price controls, Butz insisted that meat prices were fair. Consumers who feel otherwise, he said, can "shift from steak" to less expensive meats, "or not eat quite so much."

"These prices aren't set by farmers. They are set by consumers," he said.

Butz said the percent of disposable family income going for food this year will drop to an all-time low of 15.6%, a decline of 7% over the past 20 years.

Retail food prices probably will increase 4% or a little more this year, he said. This is substantially above the 2.5% over-all rate of price increases that is President's Nixon's No. 1 anti-inflation target.

TOWARD RESPONSIBLE PRISON REFORM

(Mr. WYMAN asked and was given permission for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WYMAN. Mr. Speaker, once again the Congress is being asked to address itself to the problem of prison reform. Last year's riots at prisons in New York, New Jersey, and elsewhere, as well as recent detailed reports of existing prison conditions, have served to focus public attention on one of the most troublesome problems in our society—what to do with the criminal, and how best to make him into a law-abiding citizen.

Almost all agree prisons should be more than cages to protect society from those who endanger it. The soaring crime rate, excessive recidivism, and shocking conditions in many of our prisons graphically demonstrate needed efforts at criminal reform.

Periodically, the public is made aware of this failure and demands action. However, other headlines, other problems replace prison reform in the public mind before meaningful steps—beyond limited stopgap efforts—are taken. We are left with a prison system that in many respects as well as physical plant, is grossly outdated and fails to meet its objectives.

I am today introducing legislation to establish a Board of Visitors to Federal Prisons which will be charged with a continuing review of all Federal correctional facilities to include programs, conditions, and administration. The board I am proposing will be an agency of the Congress, appointed by and responsible to the Congress. I believe a responsible, continuous review of our prison system, will help improve upon the present haphazard approach to prison reform, and will enable the Congress to more effectively meet its responsibilies by bringing the Nation's prisons into the 20th century.

The text of the bill follows:

H.R. 13248

A bill to establish the Board of Visitors to the Federal Prisons, and for other related purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 18 of the United States Code is amended by inserting immediately after chapter 317 the following new chapter:

"Chapter 319—BOARD OF VISITORS TO FEDERAL PRISONS

"Sec.
"4341. Creation and membership.
"4342. Functions and authority.
"4343. Report.

"§ 4341. Creation and membership.

"(a) A Board of Visitors to the Federal Prisons is constituted of—

"(1) four members designated by the President of the Senate; and

"(2) five members designated by the Speaker of the House of Representatives.

"(b) The members of such Board shall not be or have been associated with prison administration and at least one member shall be a former inmate of one of the facilities to be visited under section 4342(a) of this title.

"(c) Each member of such Board, except as provided in subsection (d) of this section, shall serve for three years. If such member dies or resigns, a successor shall be designated for the unexpired portion of the term by the official who designated such member.

"(d) Each of the designating officials shall, when designating the first members of such Board, divide them as evenly as may be into three classes. Members of the second class for two years, and members of the third class for three years.

"(e) The Board of Visitors to the Federal Prisons shall designate one of its members

Chairman for a term of one year, and no such member shall serve as Chairman for more than three consecutive years.

"§ 4342. Functions and authority.

"(a) The Board of Visitors to the Federal Prisons shall from time to time visit the various facilities which are under the supervision of the Bureau of Prisons for the custody or rehabilitation of persons charged with, or convicted of, an offense against the United States.

"(b) The Board shall inquire into the conditions, the programs, and the general administration of the Federal prison system, and such other matters relating to the Federal prison system as the Board decides to consider.

"(c) While performing the duties of Board membership, each such member shall be reimbursed under Government travel regulations for his travel expenses.

"(d) The Board is authorized to appoint, without regard to the provisions of title 5 of the United States Code (relating to the appointment and classification of those serving in the competitive service), and at such salaries as it shall determine, an investigative staff, not to exceed five in number, of qualified personnel with prior investigative experience and the necessary clinical background.

"§ 4343. Report.

"The Board of Visitors to the Federal Prisons shall annually or more frequently, in its discretion, submit a report of its findings, activities, and recommendations to the President and the Congress."

SEC. 2. The tables of chapters of title 18, and of part III of title 18, of the United States Code, are each amended by inserting immediately after

"317. Institutions for women..... 4321"

the following:

"319. Board of Visitors to the Federal Prisons ..... 4341".

FREE LITHUANIA RECALLED

The SPEAKER pro tempore (Mr. VANIK). Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 60 minutes.

(Mr. FLOOD asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. FLOOD. Mr. Speaker, again this year I take pride in being able to join with my colleagues in this Chamber in commemorating the independence of once-free Lithuania. It is with pride beyond all measure that we in this country are able to stand as free men in this great public forum and speak without fear of rebuke or retaliation. This pride is mixed with sorrow when we remember that so many friends and families of American citizens behind the Iron Curtain do not share this great privilege with us.

On this 54th anniversary date, I should like to recall two aspects of Lithuanian relative to this commemoration: Namely, free Lithuania, and Lithuanians in my own State of Pennsylvania.

On February 16, 1918, the Lithuanian peoples broke a long period of Soviet domination—1795–1915—followed by a short period of German domination, and declared themselves an independent nation. Just 21 short years later the Lithuanian people were again brought under Russian domination, and on August 3, 1940, Lithuania was declared a constituent republic of the Soviet Union—a cruel joke this country has never recognized. Briefly occupied by the Nazi troops during World War II, the Soviets reoccupied the little country in 1944 with the help of the Red Army, and to this day the Lithuanian Republic is a ward of the Kremlin colonists.

World War I cost the Lithuanian people a great deal for in 1915 they traded Russian oppression for German persecution. The Russians were finally gone, but the Lithuanian people were not free. However, within 2 years two events, as important as any in this century, led to the eventual and long-awaited freedom and independence of the Lithuanian people: the Russian Revolution and the defeat of Kaiser Germany.

With independence on the horizon 200 Lithuanian delegates formed a congress laying the groundwork for an independent Lithuania based on ethnological frontiers. Finally on February 16, 1918, Lithuania declared itself an independent state in the family of independent nations. As we all know, a declaration of any kind does not establish a condition in fact. For example, our own American Declaration of Independence was made in 1776, but we were not free from the British until the War for Independence ended in 1783, and we did not become the country we know today until 1789. Before the first year of independence had run its course, the German Army left the country, and immediately on their heels, the Soviet Army reentered the country. There obviously is more to being independent than merely saying so, for it was not until the following year the Russian Red Army was forced out of the country under the leadership of the Polish Army.

Besieged with problems at home and with that infinite patience that Communist governments seem to have, Russia decided to sign a peace treaty with Lithuania on July 12, 1920. We know that Russia made a sham of that treaty within 20 years, but we do not know the extent of that deception until we realize exactly what the treaty included. That treaty made it clear that the Soviet Union recognized "without any reserve the sovereignty and independence of the State of Lithuania," and "voluntarily and forever renounced" all sovereign rights possessed by Russia over the Lithuanian people and territory. That would have been a treaty of splendor and hope if only the Russians had not intended it to be a farce and the most degenerate of jokes.

Following the treaty of peace with Russia, the struggling, newly independent nation immediately had a dispute of long standing with Poland on its hands involving the fate of Vilnius, the designated capital of Lithuania. When the issue reached the League of Nations, the city of Vilnius was awarded to Poland due mainly to the fact that Poles were in the majority of the city's population. This dispute wrecked Lithuanian-Polish relations until 1938.

Lithuania, which was recognized by the United States on May 31, 1921, joined the League of Nations on September 22, 1921, and thus began Lithuania's brave attempt as a free and equal independent nation in the world community. As is the case with all new states who are not prepared by their colonial masters to assume self-government, there was some internal disruption and political discord. However, one cannot discount the great advances the country made during its brief tenure of independence in industrialization, farming and agriculture, social legislation, and in cultural pursuits. While the country struggled with itself, it did so with a dignity of which we can all be proud.

When war again engulfed Europe, little Lithuania was squeezed by both Germany and Russia, and during that conflict, was occupied by both countries, suffering terrible human and material losses. Since the end of World War II, Lithuania has been a colony of the Soviet Union.

I am especially proud, Mr. Speaker, that so many of these fine people who have left Lithuania for one reason or another to come to the United States, have elected to settle in my own State of Pennsylvania and particularly in my congressional district.

In the last century coal mining and railroad employment drew many to Pennsylvania as well as the steel centers around Pittsburgh and the great oil regions in the Alleghenies in northwestern Pennsylvania.

Today, we find many Lithuanians and their decendents living in Wilkes-Barre, Scranton, Shenandoah, Shamokin, Mahanoy City, and Mount Carmel, among others.

I deeply and sincerely wish along with these Americans that someday Lithuania will once again have the opportunity to govern its own affairs and destiny with dignity and human justice.

As part of my remarks today, Mr. Speaker, I would like to include a memorandum which I received from the national executive committee of Lithuanian American Community of the United States, Inc., of Delran, N.J., entitled, "Luthuania's Seven-Century Quest for Freedom," as well as a copy of House Congressional Resolution 416 which was approved by the House and the Senate in the 89th Congress:

LITHUANIA'S SEVEN-CENTURY QUEST FOR FREEDOM—THE LAND OF SIMAS KUDIRKA

"I have nothing to add to what I have already said, only one wish, more specifically, a request to the supreme court and the government of the Soviet Union: I ask that you grant my homeland, Lithuania, independence." *From appeal of Simas Kudirka during his trial.*

The Kremlin is fond of saying that Russian imperialism died with the czar. But the fate of the Baltic nations—Lithuania, Latvia and Estonia—shows this to be a cruel fiction The Communist regime did not come to power in the Baltic States by legal or democratic process. The Soviets invaded and occupied the Baltic States in June of 1940, and the Baltic peoples have been suffering in Russian-Communist slavery for more than 30 years.

700-YEAR-OLD STATE

The Lithuanians are proud people who have lived peacefully on the shores of the Baltic from time immemorial. For instance,

this year marks the 721st anniversary of the formation of the Lithuanian state. Mindaugas the Great unified Lithuanian principalities into one kingdom in 1251.

The Baltic peoples have suffered for centuries from the "accident of geography." From the West they were invaded by the Teutonic Knights, from the East by the Russians. It took remarkable spiritual and ethnic strength to survive the pressures from both sides. The Lithuanians, Latvians and Estonians, it should be kept in mind, are ethnically related *neither to the Germans nor the Russians*

After the Nazis and Soviets smashed Poland in September of 1939, the Kremlin moved troops into the Baltic republics and annexed them in June of 1940. In one of history's greatest frauds, "elections" were held under the Red army guns. The Kremlin then claimed that Lithuania, Latvia and Estonia voted for inclusion in the Soviet empire.

MOST BRUTAL OCCUPATION OF ALL TIME

Then began one of the most brutal occupations of all time. Hundreds of thousands of Balts were dragged off to trains and jammed into cars without food and water. Many died from suffocation. The pitiful survivors were dumped out in the Arctic or Siberia. The Baltic peoples have never experienced such an extermination and annihilation of their people in their long history through centuries as during the last three decades. Since June 15, 1940, these three nations have lost more than one-fourth of their entire population. The genocidal operations and practices being carried out by the Soviets continue with no end in sight.

Since the very beginning of Soviet Russian occupation, however, the Balts have waged an intensive fight for freedom. During the period between 1940 and 1952 alone, some 30,000 Lithuanian freedom fighters lost their lives in an organized resistance movement against the invaders. The cessation of armed guerrilla warfare in 1952 did not spell the end of the Baltic resistance against Soviet domination. On the contrary, resistance by passive means gained a new impetus.

SUCCESSFUL REVOLT AGAINST SOVIETS

The year of 1971 marked the 30th anniversary of Lithuania's successful revolt against the Soviet Union. During the second part of June of 1941 the people of Lithuania succeeded in getting rid of the Communist regime in the country: freedom and independence were restored and a free government was re-established. This free, provisional government remained in existence for more than six weeks. At that time Lithuania was overrun by the Nazis who suppressed all the activities of this free government and the government itself.

The Government of the United States of America has refused to recognize the seizure and forced "incorporation" of Lithuania, Latvia and Estonia by the Communists into the Union of Soviet Socialist Republics. Our Government maintains diplomatic relations with the former free Governments of the Baltic States. Since June of 1940, when the Soviet Union took over Lithuania, Latvia and Estonia, all the Presidents of the United States (Franklin D. Roosevelt, Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy, Lyndon B. Johnson, and Richard M. Nixon) have stated, restated and confirmed our country's nonrecognition policy of the occupation of the Baltic States by the Kremlin dictators. However, our country has done very little, if anything, to help the suffering Baltic peoples to get rid of the Communist regimes in their countries.

RESTORATION OF INDEPENDENCE TO LITHUANIA

The case of the Baltic States is not a question about the rights of self-rule of Lithuania, Latvia and Estonia, since this is established beyond any reasonable doubt, but the question is how to stop the Soviet crime and restore freedom and independence to these countries. The Select Committee of the House of Representatives to investigate the Incorporation of the Baltic States into the U.S.S.R., created by the 83rd Congress, after having held 50 public hearings during which the testimony of 335 persons was taken, made a number of recommendations to our Government pertaining to the whole question of liberation of the Baltic States. According to the findings of this House committee, "no nation, including the Russian Federated Soviet Republic, has ever voluntarily adopted communism." All of them were enslaved by the use of infiltration, subversion, and force. The American foreign policy toward the Communist enslaved nations, the aforesaid House committee stated, must be guided by "the moral and political principles of the American Declaration of Independence." The present generation of Americans, this committee suggested, should recognize that the bonds which many Americans have with enslaved lands of their ancestry are a great asset to the struggle against communism and that, furthermore, the Communist danger should be abolished during the present generation. The only hope of avoiding a new world war, according to this committee, is a "bold, positive political offensive by the United States and the entire free world." The committee included a declaration of the U.S. Congress which states that the eventual liberation and self-determination of nations are "firm and unchanging parts of our policy."

RIGHT STEP IN THE RIGHT DIRECTION

The United States Congress has made a right step in the right direction by unanimously adopting H. Con. Res. 416 (89th Congress) that calls for freedom for Lithuania, Latvia and Estonia. All freedom-loving Americans should urge the President of the United States to implement this very important legislation by bringing the issue of the liberation of the Baltic States in the United Nations and requesting the Soviets withdraw from Lithuania, Latvia and Estonia. The time has come for the whole world to demand that the principle of self-determination be respected and that the nations of Lithuania, Latvia and Estonia, too, shall be free from domination and be permitted to choose their own form of government. We should have a single standard for freedom. Its denial in the whole or in part, in any place in the world, including the Soviet Union, is surely intolerable.

H. CON. RES. 416

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

[From the CONGRESSIONAL RECORD, Oct. 22, 1966]

CONCURRENT RESOLUTION TO REQUEST THE PRESIDENT OF THE UNITED STATES TO URGE CERTAIN ACTIONS IN BEHALF OF LITHUANIA, ESTONIA, AND LATVIA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1573, House Concurrent Resolution 416.

The PRESIDING OFFICER. The concurrent resolution will be stated.

The LEGISLATIVE CLERK. A concurrent resolution (H. Con. Res. 416) to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to its consideration.

Mr. KUCHEL. Mr. President, I wish to say that I am delighted that this matter is being taken up. It deserves attention in this session as a mark of our continuing concern for those peoples who have been deprived of their democratic institutions and are unable to speak for themselves.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 416) was agreed to.

EXECUTIVE POSITION

The position of the executive branch with respect to the concurrent resolution is outlined in the correspondence which follows:

DEPARTMENT OF STATE,
Washington, June 1, 1965.

Hon. THOMAS E. MORGAN,
Chairman, Committee on Foreign Affairs, House of Representatives.

DEAR MR. CHAIRMAN: I am writing in reply to your letter of May 20, 1965, to the Secretary of State, requesting the Department's comments on House Concurrent Resolution 416, which has been approved unanimously by the Subcommittee on Europe and ordered favorably reported to the full Committee on Foreign Affairs. The resolution requests the President of the United States to urge certain actions in behalf of Estonia, Latvia, and Lithuania. The language of the resolution, as formulated, is not objected to by the Department of State.

The Department has been advised by the Bureau of the Budget that from the standpoint of the administration's program there is no objection to the submission of this report.

Sincerely yours,

DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional Relations (For the Secretary of State).

Mr. GERALD R. FORD. Mr. Speaker, I am proud to join with my colleagues in marking the 54th anniversary of the Declaration of Independence of Lithuania.

This occasion reminds us of the tragic event of November 23, 1970, when a Lithuanian sailor, Simas Kudirka, tried to defect to an American Coast Guard cutter. That attempt, though unsuccessful, was a heroic demonstration of the fact that the Soviet Union is unable to suppress the aspirations of the Lithuanian people for freedom and the exercise of their individual rights.

Mr. Speaker, Lithuania is a captive nation—by virtue of the continuing subjugation and oppression of the Lithuanian people by the Soviet Union.

The Communist regime did not come to power in Lithuania by legal or democratic processes. The Soviets invaded and occupied Lithuania in June of 1940, and the Lithuanian people have been suffering in Russian-Communist slavery for more than 30 years.

It was on February 16, 1918, that the modern Republic of Lithuania was established.

After the Nazis and the Russians had smashed Poland in September of 1939, the Kremlin moved troops into Lithuania and annexed that Republic in June of 1940. In one of history's greatest frauds, "elections" were held under Red army guns. The Kremlin then claimed that Lithuania had voted for inclusion in the Soviet empire.

Since the very beginning of Soviet-Russian occupation, however, the Lithuanians have waged an intensive fight for freedom. During the second half of June 1941 the people of Lithuania succeeded in getting rid of the Communist regime; freedom and independence were restored and a free government was reestablished. This free, provisional government remained in existence for more than 6 weeks. At that time, Lithuania was overrun by the Nazis who suppressed all the activities of this free government and the government itself. During the period between 1940 and 1952, more than 30,000 Lithuanian freedom fighters lost their lives in an organized resistance movement against the invaders. The cessation of armed guerrilla warfare in 1952 did not spell an end to the resistance. On the contrary, resistance by passive means gained a new impetus.

The Congress took a step in the right direction by adopting House Concurrent Resolution 416, which calls for the freedom of Lithuania and the other Baltic Republics, Latvia and Estonia. All freedom-loving Americans should seek to implement this legislation. The voice of freedom can never be stilled. It will be heard in Lithuania until that gallant people once more live in liberty.

Mr. O'NEILL. Mr. Speaker, I want to take this opportunity to join my colleagues in observing the 54th anniversary of the establishment of the Republic of Lithuania. While Lithuania today remains under the domination of the Soviet Union, the people of Lithuania persevere in a spirit of self-determination and hope for freedom in the future. It is the purpose of this day to express the expectation and the fervent desire on the part of all Americans to see that hope become a reality.

America is a land of many nationalities and ethnic origins and it is with pride that we look to the many cultural contributions which the people of Lithuania have made to our society. It is, therefore, appropriate that we take note of a day which is important to those of Lithuanian descent.

The right of a people to live and work and earn a livelihood in freedom is an inalienable right, according to the Declaration of Independence, perhaps the most sacred document of American independence. But those words take on an added significance when we celebrate the anniversary of a nation which, while once free and independent, has come under foreign domination.

The loss of such freedom occasions a most difficult readjustment. As Americans must never become complacent about the loss of freedom, either their own, or someone's elses, we must continue to mark this day and remain determined to assist the people of Lithuania regain their self-determination in any way possible. Americans of every walk of life and every occupation join the people of Lithuania in commemorating this day, which Congress has set aside to "bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples," in the words of House Concurrent Resolution 416.

Mr. WAGGONNER. Mr. Speaker, to many of the people of this Nation, today is Ash Wednesday, a religious holiday observed with the sanction and within the framework of a free and democratic society.

But to many Americans of Lithuanian descent, this is also the 54th Anniversary of Lithuania's Declaration of Independence which came only after a century of subjugation under Russian rule, and which has been followed by revocation not only of her independence, but of her personal liberty and dignity, as well.

With the passage of time, little Lithuania, with her cattle, hogs, and electric motors, is now one of the most prosperous and productive parts of the Soviet Union. But as she submissively contributes toward fulfillment of the Soviet goal—a 40-percent rise in national income—a 50-percent rise in industrial output—a 25-percent increase in farm production—she continues to struggle for a return to the days she had begun to work out her own system of government and develop her own economy.

Days before any army of occupation overran her—40,000 strong. Days before mock elections made a mockery of all she had tried to accomplish. Days before 50,000 of her people gave their lives in 8 years of armed, patriotic resistance. Days before the Soviet rulers deported every sixth Lithuanian to distant parts of its empire, or to the concentration camps—where many died.

And on this, the 54th Anniversary of Lithuania's Declaration of Independence, and the 721st anniversary of the formation of the Lithuanian State, the people of Lithuania continue their struggle for rights inherently theirs.

Ash Wednesday, 1972, finds the Russian State vigorously attacking religious beliefs and practices in Lithuania through antireligious propaganda—thus denying churches the freedom to propagate their faith.

Where Ash Wednesday and other religious services can be advertised in newspapers of our free society, many churches in Lithuania are denied freedom of the press for religious needs. Children who frequent the church suffer much abuse. They are taught that religious parents are backward, and are not allowed to actively participate in many parts of the service.

While bells peal throughout the Nation today, summoning the faithful to get their ashes, many of the churches in Lithuania are not allowed to ring bells, use loudspeakers or any other technical means. In fact, only two churches have been built in Lithuania since 1945—and one of these serves as a peoples' music hall. In 1970, a pastor was convicted to 1 year in prison for giving religious instructions to children—upon the requests of their parents. This despite the fact that the Constitution of the Soviet Socialistic Republic of Lithuania, guarantees—and I quote—"the freedom of all citizens to fulfill their religious cult."

These are but a few illustrations symptomatic of a repressive and alien rule. While Americans have the freedom to protest in this country, the Soviets declare protesting Lithuanians dissidents—and whisk them off to psychiatric wards

To many in this Nation and other lands throughout the world, Ash Wednesday may be somber, but it precedes another day of hope, rejoicing, a new life I salute Lithuania on this anniversary of her independence—an independence I hope she may one day resurrect.

Mr. SMITH of California. Mr. Speaker, this week marks the 54th anniversary of the establishment of the Republic of Lithuania. This enslaved nation looks once again to the freedom-loving people of the world with the hope that their right of self-determination might be restored.

They look to the United States in its conquest for peace in the world to help them regain their independence from the brutal oppression suffered under the hands of the Communist regime.

It is hoped that all freedom-loving citizens of the United States might be ever mindful of those proud nations and brave peoples—wherever they are—who are denied national dignity and the right of self-determination. Let us each resolve to do our utmost to free these oppressed peoples, and to see that they, too, like we, are privileged to determine their political status, and freely pursue their economic, social, cultural and religious development.

Mrs. HICKS of Massachusetts. Mr. Speaker, February 16 marks the anniversary of the Declaration of Independence of Lithuania, the establishment of the Republic of Lithuania and the 721st anniversary of the formation of the Lithuanian state.

This day will not be commemorated publicly in Lithuania itself which has been under Russian rule since 1940. It is indeed tragic that these brave people have been denied the freedom and national sovereignty of their native homeland and have been forced to exist under Soviet domination.

Lithuania, today, is cruelly taxed and ruthlessly ruled by Soviet Russia. Our

friends in Lithuania have been subjected to suppressive policies of the Soviet state which violate human rights. Lithuanian history is a record of a long struggle against foreign domination. In 1918, that struggle culminated in the bright flame of national independence, but 22 years later the flame was extinguished when Lithuania was forcibly incorporated into the Soviet Union.

Although their independence was short lived, it was and is a monument to the pride and courage of generations of Lithuanians. Time and again Lithuanians have been called upon to resist communism and each time such invasions have been repelled.

Mr. Speaker, on behalf of my constituents of Lithuanian descent in the Ninth Congressional District, I am proud to lend my voice to honor the Lithuanian people. We should do our utmost to utilize every political and economic asset at our command to show to our friends in Lithuania that Americans stand firm in their commitment to help Lithuanians to become free, and that we Americans remain steadfast in maintaining our policy of refusing recognition of the forcefully imposed and illegal annexation of Lithuania by Russia.

National pride is the challenge of the people of Lithuania—their goal is independence.

To the proud Lithuanian-American, while this day causes pause and empathy for his fellow countryman in his home country, he should also recall the glorious history and tradition of an independent Lithuanian state which can trace its history back to the 11th century, A.D.

Today, not tomorrow, is the time to bring the issue of the liberation of the Baltic States to the United Nations.

The Americans of Lithuanian descent have done much to make the United States a land of the free and the home of the brave. As freedom-loving Americans, all of us, descendants from either immigrants or refugees should pray with them for the speedy liberation of Lithuania.

Mr. STRATTON. Mr. Speaker, I am proud to join once again in this observance in the House of the anniversary of the independence of the Republic of Lithuania. It was 54 years ago today that the proud and brave people of Lithuana proclaimed their homeland as a free and independent nation after more than a century of domination by czarist Russia.

Elections were held in Lithuania in 1918 and a democratic government was formed that was a shining example to the world of the love for liberty and justice that has always been implicit in the character of the Lithuanian people. The newly freed country quickly took her place among the modern community of nations and, after being admitted to the League of Nations, did her part to help maintain world peace.

When that peace was finally shattered, however, so was Lithuania's independence. After the Soviet invasion in 1940, thousands gave their lives in a successful 1941 bid for independence. This freedom was not long-lived however, as Hitler soon moved in his troops in the march toward Russia. The country was reoccupied by Russia toward the end of the war. Their desire for freedom undiminished. Lithuanians took to guerrilla warfare and carried on a 12-year underground struggle that cost the lives of some 30,000 freedom fighters.

That desire for freedom and relentless determination for independence is as strong as ever and it is appropriate that today, the 54th anniversary of Lithuanian Independence Day, all Americans join with Americans of Lithuanian descent, and their countrymen behind the Iron Curtain, in recognizing the proud heritage of the Lithuanian Nation.

We are reminded on this Lithuanian Independence Day of the plight of Simas Kudirka, the Lithuanian sailor who in 1970 jumped from a Soviet ship but was denied asylum aboard a U.S. Coast Guard cutter. Soviet sailors were allowed to go aboard the cutter, beat Kudirka unconscious, and drag him back to the Soviet ship—a day of shame for all Americans.

Perhaps more than he realizes, Kudirka performed a great service to his country because he once again brought to the attention of the American people and the world the plight of those trapped behind the Iron Curtain. At Kudirka's trial, at which he was sentenced to 10 years of hard labor and confiscation of all his personal property, it is reported that he made the following appeal:

I have nothing to add to what I have already said, only one wish, more specifically, a request to the supreme court and the government of the Soviet Union: I ask that you grant my homeland, Lithuania, independence.

Words to which we can all dedicate ourselves.

As the interest builds in anticipation of President Nixon's visits to the world's two major Communist countries, let us not forget the misery and horrors that those nations have perpetrated on the once-happy people of once-free nations.

I urge the President to express to the leaders of the Republic of China and of the Soviet Union, the deep conviction of the American people that all people of all nations must be allowed to govern their own affairs and must be given the fundamental rights that belong to all humans. I call upon the President to implement the mandate of House Concurrent Resolution 416, which I strongly supported when it was passed unanimously by both Houses of Congress in 1966, and bring the force of world opinion to bear on behalf of the restoration of those rights to the people of the Baltic countries.

And, Mr. Speaker, I call upon my colleagues in the House and upon all Americans, to join in reaffirming their dedication, as I reaffirm mine, to hastening the day that the Iron Curtain will be torn down and freedom and independence reestablished in Lithuania and all those nations suffering under Communist aggression. As the saying goes in Lithuania, "Come what may, Lithuania will endure forever."

Mr. BYRNE of Pennsylvania. Mr. Speaker, this month my many Lithuanian-American friends will be marking two very important dates. February 12 was the 721st anniversary of the unification of Lithuania by King Mindaugas the Great. February 16 will be the 54th anniversary of the establishment of the modern Republic of Lithuania.

Unfortunately, while we will be celebrating these dates in the United States and in other areas of the free world, there will be no overt celebrations in Lithuania itself. We all know why.

Lithuania and her two Baltic sister States have been occupied by the Soviet Union since 1939 and officially annexed to the Soviet Union since June 1940.

What a mockery of the political process this "annexation" was. An election held under the guns of the Red Army.

Since that time the free world has said much but done very little about this intolerable situation. A most recent action was House Concurrent Resolution 416 of the 89th Congress, passed unanimously, which calls for freedom for Lithuania, Latvia, and Estonia.

This resolution has not been implemented. A concrete action of this Congress would be to call upon the President to implement that resolution by placing the case of the Baltic States before the United Nations General Assembly.

Of course, it would be useless to take this case before the Security Council; the Soviet Union would veto the issue. The Soviets believe in self-determination under international auspices for everyone but the captive nations held by the Soviet Union.

This would also give us the opportunity to determine if those Soviet supporters in the United Nations who mouth platitudes of freedom are honest or hypocritical.

I wish I could be more idealistic about this situation, but I am too much of a realist.

I live only with hopes, those same hopes of the millions of people held in captivity by the Soviet Union, such as the brave Lithuanian people, that some day the conscience of the world will set them free.

Mr. MADDEN. Mr. Speaker, last Sunday I spoke before the Lithuanian-American Society of Washington, D.C., on the occasion of the society's annual observance of Lithuanian Independence Day. The following resolutions on Lithuanian independence were unanimously adopted by the membership on that occasion:

RESOLUTIONS

Metropolitan Washington area residents, gathered on February 13, 1972 at the Washington Hotel, under the auspices of the Lithuanian American Society, to observe the Lithuanian Independence Day, extend their greetings to the freedom loving people of Lithuania, and bring the following resolutions to the attention of the President, the Secretary of State, and Members of Congress of the United States:

The drastic Soviet reprisals against the signatories of several human/civil rights appeals of the Lithuanian clergy, against unsuccessful defectors, and against religious teachers and the communicants defending them, disclose the restiveness of the postwar Lithuanian generations over the gap between promise and performance of the World War II Allies, namely: the promise of the Four Freedoms, the Atlantic Charter, United Nations Declaration and Charter, the

Declaration to Captive European Peoples—and the performance of perpetuating the division of spoils by the Ribbentrop-Molotov Pacts, that is—forcible reoccupation of the Baltic States, dismemberment of Poland, Romania and Czechoslovakia, and in addition thereto: partition of Germany, and forcible communization of central and eastern Europe.

President Nixon in his Inaugural Address noted that "peace does not come through wishing for it . . . there is no substitute for days and even years for patient and sustained diplomacy," and he pledged to devote his energies and wisdom to the cause of Peace "with opportunity for all the peoples of this earth to choose their own destiny, moving with precision and purpose from an era of confrontation to an era of negotiation."

The 50th anniversary of the American de jure recognition of the Baltic States and the 32nd anniversary of the American nonrecognition of the forcible incorporation of Lithuania, Latvia and Estonia by the Soviet Union, point up the need for an active, bold and sustained American diplomatic initiative, in direct American contacts with the USSR during the forthcoming visit of President Nixon to Moscow, at the United Nations and elsewhere, to remove the remaining stumbling block to peace and security in Europe by restoring the sovereignty of Lithuania, Latvia and Estonia.

Therefore, we urge the Administration to move from the passive policy of nonrecognition and to initiate diplomatic efforts to convince the Government of the Soviet Union that rectification of the wrong done against that country's good and peaceful neighbors—Lithuania, Latvia and Estonia—would enhance the true interests and security of the Soviet Union itself, and would promote world peace as well as respect for, and trust in, the Soviet Government and its policies, and pave the road to the European security conference.

By unanimous vote of the citizens present:

LOUISE EURKOOS,
Secretary,
Lithuanian American Society.

Mr. SMITH of New York. Mr. Speaker, this week marks the 54th anniversary of the establishment of the modern Republic of Lithuania.

A 700-year-old State, Lithuania has suffered for centuries from the "accident of geography," being invaded by both East and West. Most recently, the Baltic republics of Lithuania, Latvia, and Estonia have suffered their most cruel and brutal occupation since June of 1940: the beginning of Soviet domination. Since this time, Lithuania and her neighbors have lost more than one-fourth of their entire population through the systematic extermination and annihilation of their peoples. Not since June of 1941, when the people of Lithuania regained the power of their Government from Soviet domination, have they enjoyed a free government. At that time freedom and liberty existed in Lithuania, but only for a brief 6-week period, before the shrouded veil of Nazi domination overran Lithuania.

Let us, as citizens of these free United States, who are preparing to celebrate our own bicentennial of independence, recall the arduous task of shaking off our colonial status, much as the people of Lithuania attempt to do.

The 89th Congress of the United States, recognizing the need for the liberation of the Baltic States, unanimously adopted House Concurrent Resolution 416 calling for freedom from oppression for the Lithuanian people and their fundamental right to determine their own national destiny. These are the inalienable rights of all citizens who pursue the path of peace.

With the support of all free people today, I pray, Mr. Speaker, that we may live to see the day in which the proud people of Lithuania achieve the freedom and liberty which they have so long been denied.

Mr. COUGHLIN. Mr. Speaker, throughout the world today, freedom-loving Lithuanians are observing the 54th anniversary of the independence of Lithuania.

Lithuanians still cherish the memory of freedom and nurture the hopes for eventual liberation of their homeland despite Communist rule that has subjugated Lithuania since 1940.

Freedom, as we know from the history of our own Nation, is an ideal which is not easily erased from the minds of man. Even under tyrannical rule, freedom burns under the surface of regimentation and oppression, waiting to burst forth again with renewed vigor when the opportunity arises.

It is freedom, in this finest sense, that Lithuanians throughout the world cherish for their homeland.

As a free man who was profoundly shaken on visiting the infamous Berlin Wall and who was dismayed by the Soviet Union's invasion of Czechoslovakia in 1968, I share the hopes of free peoples everywhere that liberty once again will come to Lithuania and other captive nations. I believe they have the inalienable right to their own national identity and deserve to direct their own destiny.

I cite the Lithuanian American Council as an American civic organization which is dedicated to the ideal of peaceful restoration of freedom to these nations. I extend to the council and to all Lithuanians and Americans of Lithuanian ancestry my very best wishes in their work and the hope that they someday will succeed.

Their undaunted spirit certainly serves as an inspiration to freedom-loving peoples throughout the world.

Mr. ZWACH. Mr. Speaker, freedom is a precious ideal whose seed fails to die even under the most tyrannical oppression. It is a priceless gift, a great achievement, but all too unfortunately it is appreciated the most only after it is lost.

Today, I would like to join my colleagues in paying tribute to one of the world's most unfortunate nations, which, in the 721 years since its origin, has known freedom but for a brief span of 22 years.

In spite of that brief possession of freedom, its flame burns brightly in the hearts of the Lithuanians.

By an accident of geography and the misfortunes of war, this sad country has been the battleground time and again between warring nations who have alternately occupied it.

A nation may be conquered, but not the spirit of its people, and so the Lithuanians have remained strong and united, thirsting for the freedom and liberty they once knew.

Today is the 54th anniversary of the independence of Lithuania, an independence they no longer know.

As we salute these brave people today, I would like to call to your minds the plight of the other captive nations of the world and offer the hope that on some bright day they, as well as the Lithuanians, again may savor the heady wine of liberty and freedom under a government of their own choosing.

Mr. HICKS of Washington. Mr. Speaker, on February 16, 1972, Americans of Lithuanian descent commemorated the 54th anniversary of the establishment of the Republic of Lithuania and the 721st anniversary of the formation of the Lithuanian State.

We are reminded on this day that since June 15, 1940, the Lithuanian people have been forcefully placed under the Soviet rule. Their struggle for freedom, however, extends back into history much further than the early 1940's. For over 600 years Lithuanians have had to come to arms in defense of their national sovereignty. Then in 1918 the National Lithuanian Council proclaimed independence from Russian subjugation. And this is the date we are commemorating with the hope that the Lithuanians will regain the independence they lost at the beginning of World War II.

On this occasion the Soviet Union should be held before the free world to account for its infractions of the universally recognized rights of men and nations—the rights to self-determination and the right to fundamental freedom of religious worship. Therefore, Mr. Speaker I respectfully enter into the RECORD the concluding remarks found in a study prepared by the Lithuanian American Community, Inc., on violations of human rights in Soviet occupied Lithuania with concern to the:

A detailed study of the structure of the Soviet state reached the following conclusion:

Stripped of its ideological raiment and reduced to the essentials of geography and human resources, Soviet Russia today is not remarkably different in its constitution from Russia or Czar Nicholas II. Russia now, as then, is an empire in its traditional meaning, created through the imperial-colonial processes of contiguous expansion; it is a complex of nationalities, deriving their origins, cultures, and histories from radically different sources. As the unintended legatee of a vast imperial system extending from the borderlands of Eastern Europe to the Far East and from the Arctic to the subcontinent of Asia, the Soviet Communist elite succeeded in rebuilding a new imperial-colonial system . . .*

The Soviet Union is in obvious violation of its UN Charter obligations as well as the International Covenant on Civil and Political Rights, which in its first article guarantees all people the right of self-determination. No ideological screen can hide this obvious reality. The status of the Lithuanian people documented in this report is a case in point. Even though the Soviet Union will not submit to United Nations scrutiny its policies in respect to human rights, there are sufficient devices in the UN procedures to raise the question of Soviet imperialism and colonialism. For once the members of the United Nations should abandon the double standard and should apply their resolutions on self-determination and colonialism universally, including the Soviet Union as one among the still extant colonial powers.

The status of freedom of religion and conscience in Soviet-occupied Lithuania is ac-

curately summarized by the President of the Belgian Senate, the Hon. Paul Struye, who spent three days in Lithuania in September of 1971. On his return home the Belgian parliamentarian wrote:

"The Communist doctrine continues to remain antagonistic to any religion. In order to realize this it is only necessary to read a small booklet, called *Lietuvos socialistine respublika* (The Socialist Republic of Lithuania). In this booklet, in the form of questions and answers, the reader finds the following sentence: "An individual with religious beliefs cannot become a member of the Communist Party because this party is based on Marxist materialism, which is in essence opposed to the idealistic philosophy and the propagation of religion." However, in the same place it is asserted that all the citizens of Lithuania have the freedom to profess or not to profess a religion. They can also engage in anti-religious propaganda. How is it possible to reconcile these two facts with freedom, how is it possible to reconcile the freedom of anti-religious propaganda and the prohibition to propagate religious truths? It is clear that under these conditions there cannot be any talk about "a genuine freedom of conscience."

The validity of such judgment has been clearly demonstrated by the evidence presented here. The Soviet regime in fact suppresses religious worship and belief in violation of the United Nations Universal Declaration on Human Rights as well as the constitution of the USSR and the constituent republics.

Mrs. GRIFFITHS. Mr. Speaker, it is a privilege and honor for me to join my colleagues in Congress in paying tribute to Lithuania and Americans of Lithuanian descent as we celebrate the 54th anniversary of the declaration of the independence of the Lithuanian people.

Fifty-four years ago, on February 16, 1918, that courageous nation proclaimed her independence of Russia. Upon achieving independence, the Lithuanian people entered upon a period of unparalled social, economic, and political progress. For the ensuing 22 years, Lithuania was free to make great strides toward their national goals as they enjoyed a happy, free and democratic way of life. Then, in 1940, the Soviet Union forcibly annexed the young Republic of Lithuania, suppressing the freedom of the people and incorporating her along with Estonia and Latvia into the Soviet sphere. The United States recognized the independent Lithuanian Government on July 27, 1922, but it has never recognized that nation's incorporation into the Soviet Union.

It is fitting that we set aside this time today to reaffirm our stand in support of the eventual freedom of this country. I take this occasion to congratulate our Lithuanian friends for their undying courage and their unfailing determination to regain freedom and self-determination for their homeland. I hope that we soon celebrate Lithuanian Independence Day with the knowledge that freedom has been returned to this proud country.

Mr. DENT. Mr. Speaker, I would like to take this opportunity to join with my colleagues in commemorating two anniversaries in Lithuanian history. The 720th anniversary of the consolidation of the Lithuanian state and the 53d anniversary of the establishment of the Republic of Lithuania. This observance is not underlined with happiness or achievement, however, for we are reminded that Lithuania has been under the domination of the Soviet Union for more than 30 years.

For too long too many people have been apathetic to the reality of the Lithuanian condition. Contrary to popular belief, the Communist regime did not come to power in Lithuania by democratic means. Russia occupied Lithuania in June 1940, and has held a stranglehold on the country ever since. Communist occupation of Lithuania brought much hardship and suffering upon the people, and it is estimated that 45,000 Lithuanians lost their lives or were deported between June 15 and the time when Russian troops fled the onslaught of the German forces in Lithuania around June 21.

Despite the harshness of the Russian occupation of their country, Lithuanians have kept alive the struggle against the suppression of their basic rights of freedom of speech, press, and assembly. As a nation that strives to uphold the guarantee of fundamental human liberties for all peoples, it is only appropriate that our country should stand in the forefront among the free world nations in condemning the Soviet Union's oppression of Lithuania. Unfortunately, though, our country has done very little, if anything, to help rid the suffering Lithuanians of the Communist regime in their country.

The spirit of today's anniversary should not end with the day. At this point it seems appropriate for us to recall House Concurrent Resolution 416 which was unanimously adopted by the House of Representatives on June 21, 1965. This resolution calls for the Congress to urge the President of the United States to:

Direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

Mr. Speaker, in behalf of Lithuanians throughout the world, I will close by reminding the administration of the equity and importance of these objectives. To ignore them is to ignore the principles on which we were founded.

Mr. BRASCO. Mr. Speaker, I take pleasure in joining many of my colleagues in paying tribute to Lithuania on the occasion of the 54th anniversary of her independence.

Lithuania, in spite of efforts by persecution to eradicate her brilliant ethnic heritage, has survived as much more than a province of the Soviet Union. Its national memory and institutions remain alive in the memory of a free people. When the Soviet system came into that country and clamped its rule on that free people, innumerable Lithuanians migrated abroad to other nations, particularly the United States. The vitality of the Lithuanian communities throughout our Nation testify to the strength of that heritage and the hope for its rebirth in the land of its origin.

We live in an era when nationalism flourishes. Many people with a strong heritage are raising their voices again in a desire to reassert their peoplehood. Only those who have preserved their language, faith, institutions and ethnicity will be able to do this successfully. The Lithuanian community has so far exhibited a strong ability to do just that.

The rule of the Soviet Union has been unyielding upon the Lithuanian homeland. Stringent efforts have been made to eradicate every vestige of the Lithuanian consciousness and nationhood. Millions of people have been deported. Language study and practice of religious faith has been limited severely. A program of Russification has been imposed in the Baltic area from the early days of Stalin. The successors to the rule of the Kremlin have not relaxed these efforts in the slightest.

Although the worst excesses of early Communist rule have been allowed to pass into history, substitutes almost as bad have replaced them. It is difficult in the extreme for these people to stress their individuality as Lithuanians. In the face of the force the regime can bring to bear it is an especially courageous man or woman who will stand up and be counted. Yet there has been no lack of such brave souls.

No amount of repression or the threat of exile has sufficed to stifle them. No amount of propaganda has been enough to convince them to abandon their heritage. And their brothers and sisters in the Western World have not abandoned faith with them. No finer example of the truth of this exists than the kinship felt by Americans of Lithuanian extraction with their brethren in the lands of the Soviet Union, who are not allowed to be what they do desperately want to be—free Lithuanian people.

Under all the occupations of foreigners, the light of Lithuanian nationality has never gone out. The Lithuanian people have vigorously and stubbornly resisted Russification and absorption into the Greater Soviet Empire. They have done this as successfully today as they did in the days of the czars. No military occupation, no matter how inclusive, has been able to make them yield their heritage, culture and beliefs.

This was shown vividly not so long ago in the case of the sailor, Simas Kudirka, who took the ultimate step of attempting to escape to freedom. It was to our shame that we allowed him to be handed back to the Soviets, who treated him in their typical manner.

This man, all by himself, has come to symbolize to many of the inextinguishable flame of Lithuanian peoplehood. He lifted the hearts of millions of these people, both abroad and in the national homeland of the Lithuanian people. And in the Kremlin, even though he was taken back, the publicity attendant upon his attempted rush to freedom has acted in an inhibiting manner upon the Soviet leadership. They know the fire of freedom burns bright, and that there are thousands more like Simas Kudirka.

Our reaffirmation here of our sympathy and empathy with them is a message that can travel across any distance. It can cross any wall erected by any dic-

tatorship, particularly that which dominates the Kremlin today.

It is certain that our expressions of sympathy will eventually reach them in Russia, informing them that they are not alone in these times of trial and stress. It will give the people of Lithuania a new lease on hope. They will know again that the spark of freedom will not go out, no matter how hard the forces of repression seek to extinguish it. In this expression of hope and help, I join fully.

Mr. CONABLE. Mr. Speaker, Americans of Lithuanian origin or descent now living in this country are marking the 54th anniversary of the establishment of the Republic of Lithuania on February 16, 1918. The Rochester Chapter of the Lithuanian American Council is participating in these activities. Lithuania and her Baltic neighbors experienced a short-lived independence of 22 years; the Soviet Union invaded them in June 1940 and those people remain subjugated to Soviet rule today.

Because the Baltic people have not willingly accepted the domination of the Soviet Union, they have been removed from their homeland in an effort to destroy their unity and identity. More than one-fourth of the population has been moved, with many dying in the process. Baltic leaders have called this action by the Soviet Union the most oppressive in their long history. Nevertheless, the Lithuanians and other Baltic people continue to resist Russian domination and to seek their own independence and freedom.

Self-determination remains the keystone of U.S. foreign policy, and it has been firmly restated by this administration. I continue to support that policy for Lithuania and her Baltic neighbors. I hope we will implement the provisions of House Concurrent Resolution 416 to further these efforts.

Mr. PATTEN. Mr. Speaker, last year I addressed this Congress on February 18 to commemorate the 53d anniversary of Lithuanian independence. It is for this same reason that I again address the Congress today. My wish was that this year I would have been able to extend to you the good news that this tiny nation was no longer under occupation. Unfortunately, this is not the fact.

Throughout their stormy history these people have always tried to retain their identity and preserve their freedom. Lithuania was one of the first countries to experience the aggression of both Hitler and the Soviet Union. When the outbreak of the Second World War seemed imminent, Lithuania attempted to maintain a policy of absolute neutrality, but was gradually engulfed, nevertheless. When the tide of the war turned against Germany, Lithuania returned not to independence, but to Soviet domination.

Mr. Speaker, the ideals of these people are similar to the ideals of the great men who freed our own country.

An editorial in the New York Times on the 1959 anniversary of Lithuanian Independence Day stated:

> In the Baltic countries the path to a better future is still dark, but it is not lost and will not be. The day of the overlords will not last forever. The time will come when the three lost little nations will be able to come out and join us. They are as aware as the rest of us that such freedom can exist only in a world of freedom.

I am sorry that this was written 13 years ago and that it has not yet been realized. But I am not sorry for what it says. I say to the 1 million Americans of Lithuanian descent and more importantly to the people still living in Lithuania that I stand for the freedom of these too-long-oppressed human beings.

Since June of 1940, when the Soviet Union took over Lithuania, all the Presidents of the United States have stated, restated and confirmed our country's nonrecognition policy of the occupation of the Baltic States by the Kremlin dictators. However, our country has done very little, if anything, to help the suffering Baltic peoples to rid their countries of the Communist regimes.

The U.S. Congress has made a right step in the right direction by unanimously adopting House Concurrent Resolution 416 that calls for freedom for Lithuania. All freedom-loving Americans should urge the President of the United States to implement this very important legislation by bringing the issue of the liberation of the Baltic States in the United Nations and requesting the Soviets withdraw from Lithuania.

Within this country there is virtual unanimity of opinion that the aggression and tyranny of which the Baltic states are the victims is the direct opposite of the freedom for which the United States stands. And as I conclude this message, I add only my deepest hope that next year as we commemorate this day we may be able to send a message to the people of Lithuania and share with them in this celebration of freedom.

Mr. ANNUNZIO. Mr. Speaker, February 16, 1972, marks the 54th anniversary of the establishment of the modern Republic of Lithuania. It also marks the 721st anniversary of the formation of the Lithuanian State when Mindaugas the Great unified all the Lithuanian principalities into one kingdom.

Across our Nation tens of thousands of Lithuanian Americans are commemorating these two historical events, and I am pleased to join my colleagues in the Congress in observing these important anniversaries in the history of the Lithuanian people.

Fifty-four years ago, when the Lithuanians regained their independence at the conclusion of World War I, they began rebuilding their devastated country, reestablished democratic institutions there, and did all that they could to protect and safeguard their newly won freedom. The Lithuanians are an industrious and proud people and at long last they began enjoying the rewards of their own efforts and the feeling of security that comes from having the right of self-determination and having a democratic form of government.

However, these benefits were short-lived, for with the advent of World War II, Lithuania was invaded by the Red Army and the courageous Lithuanians were once again robbed of their hard-won freedom. Those who resisted were tragically executed, or were deported under inhuman conditions to slave labor camps in Siberia.

Today the Lithuanians are still prisoners in their own homeland, and although they continue to resist Soviet rule in a continuing struggle for freedom, nonetheless, the dream of liberty which lives in the hearts and minds of the Lithuanians has not yet been realized. Today we honor the dauntless spirit of the Lithuanian people which once before helped make that country free and independent and which we know will not be extinguished until Lithuania once again joins the family of free nations in the world community.

Mr. Speaker, the denial of religious freedom, self-determination and human rights to the Lithuanian people is a matter of grave concern not only to the United States but to all free countries. I was one of the sponsors in the Congress of House Concurrent Resolution 416 which was passed by the House of Representatives in 1965 and subsequently adopted unanimously in 1966 by the Senate. That resolution urged the President to use the forum of the United Nations Organization and any other appropriate means to bring to bear the force of world opinion on behalf of restoration of religious, national, and human rights to the Baltic peoples. I urge that the President do all in his power to implement the provisions of this resolution in order that Lithuania, as well as the other Baltic nations, may once again be free from domination and may be permitted to choose their own form of government.

The United States has never recognized the forced incorporation of Lithuania into the Soviet Union. We have always sympathized with the Lithuanian desire for independence. In behalf of the thousands of Lithuanian Americans residing in Illinois and across our Nation, I commend the great courage of the Lithuanian people in resisting the oppression and tyranny of Soviet domination, and I join my colleagues in expressing the hope that the Lithuanian nation will soon be successful in regaining its independence.

Mr. MORGAN. Mr. Speaker, I am pleased to join many of my colleagues who are taking this opportunity today to commemorate the 54th anniversary of the declaration of independence of the Republic of Lithuania. It is fitting, indeed, that this date—February 16—falls almost midway between the birthdates of two great Americans, whose names and lives are irrevocably linked with our own struggle for independence and national unity.

In paying tribute to Americans of Lithuanian descent, together with Lithuanians throughout the world, I note with pride that my distinguished colleague and fellow Pennsylvanian, the Honorable DANIEL J. FLOOD, was instrumental in establishing the tradition in this body of according annual recognition to Lithuanian Independence Day. It is, in fact, one of the ironies of history that during an era of national independence movements, when many former colonies and dependencies are emerging as new "republics," a number of former republics remain under alien subjugation. This is

a time for all Americans to recognize that many of the rights we take for granted, including the right of religious freedom and political "dissent," are by no means universally enjoyed.

No contemporary discussion of Lithuanian aspirations can be complete without at least a passing reference to the tragic case of Simas Kudirka, the Lithuanian seaman whose attempted defection to the United States was aborted in the fall of 1970 as a consequence of bureaucratic bungling and an apparent lack of coordination among various agencies of our Government. This unhappy incident has, however, produced at least one beneficial result; that is, the issuance of new guidelines by the executive branch on procedures for handling requests for temporary refuge and asylum. As chairman of the Committee on Foreign Affairs, I wish to commend my friend and colleague, the gentleman from Ohio (Mr. HAYS), for the exhaustive hearings he held in the subcommittee he chairs on State Department Organization and Foreign Operations. I believe that the subcommittee's efforts to ascertain the facts in this case served not only to bring an unfortunate episode to public attention, but also to stimulate the executive branch, under the personal direction of the President, to take corrective action.

Mr. Speaker, this Nation has long been committed to the principle of government by consent of the governed. The continuing plight of Lithuania and Lithuanians is a reminder that for many people on this planet, the concept represents a hope instead of a reality.

Mr. PEYSER. Mr. Speaker, February 16, is a day of great significance to all men who love freedom. Fifty-four years ago today, in 1918, the free and independent nation of Lithuania was established. This nation and its people became a shining example for all who sought liberty, and a definite proof of what free men can accomplish. Although the Republic's existence was a short and trouble filled one, it became and still is a great symbol of freedom to all men.

It is tragic that the efforts of these people were unable to resist the double-edged sword of Nazi and Soviet totalitarianism, but let no man think that this beacon of freedom has been permanently extinguished. The brave people of the Republic of Lithuania will once again emerge from their enslavement to take their place among the free and humane nations of the world.

I am proud to have had this opportunity to help perpetuate the memory of and the hope for a free and independent Republic of Lithuania.

Mr. GREEN of Pennsylvania. Mr. Speaker, the gallant Lithuanians have had their greatness and glory in the distant past, but in the late 18th century their destiny was placed in the hands of Russia's autocratic czars. In 1917 when the oppressive regime of the czar was overthrown, the Lithuanians had the chance of attaining their centuries-old national dream. Early in 1918 they proclaimed their independence and established their own democratic form of government. Then, under multiple handicaps and hardships, they worked their way out of misery and chaos. Their independence was recognized by other sovereign states, Lithuania was admitted to the League of Nations, and thus once again it became part of the free world community of nations.

For about two decades, during the interwar years, hard-working, industrious, sturdy, and stouthearted Lithuanians enjoyed their well-earned freedom. In time Lithuania became one of the most prosperous and progressive democracies in northeastern Europe. But the turn of international events over which they had no control threatened their independence and their existence as free people. In 1940, their worst apprehensions proved to be correct when they were forced to agree to have Red army forces stationed in their country. In mid-June of that year the Red army overran and occupied the whole country. Then the country was incorporated into the Soviet Union, thus putting an end to Lithuanian independence.

During the last war Lithuanians changed their unwanted masters more than once. First for more than 2 years they suffered under the Nazis. Then toward the end of the war the Nazis were evicted and their place was again taken by the Communists, who have been there ever since. Today they rule over Lithuania with an iron hand. There is no freedom of speech or of expression. Every act of the Lithuanian citizen is planned and pushed by the Communists. In many ways unhappy Lithuanians are sealed off from the free world. In recent years, however, there have been some relaxations in the methods of government; some select group of Lithuanians are now allowed to travel abroad, and certain groups of tourists from abroad are allowed to visit the country. And the reports these tourists bring are somewhat encouraging. The people there still suffer under totalitarian tyranny, but they have not given up hope for their freedom and independence.

On the 54th anniversary of their independence day there may be assured of our wholehearted sympathy. Although under present circumstances we cannot do much for them directly, we pay high tribute to their tenacity and courage, and hope that they will soon have their just reward in freedom and peace.

Mr. RODINO. Mr. Speaker, on February 9, I expressed my strong support for the restoration of self-determination to the people of the Baltic states. At that time, I emphasized how the rich artistic expressions of Russia's distinctive national groups served to increase my understanding of the thoughts and feelings of the men and women continually struggling to preserve the cultural and historical identity of their people.

As a "friend of Lithuania," I especially share in their goals, aims, and hopes. Although they have borne the heavy yoke of Russian domination for more than a quarter of a century, the Lithuanian spirit of national survival and their firm belief in the rebirth of a future of freedom is vibrant and growing.

In commemoration of the 721st anniversary of the formation of the Lithuanian state when Mindaugas the Great unified all Lithuanian principalities into one kingdom in 1251 and in honor of the 54th anniversary of the establishment of the modern Republic of Lithuania on February 16, 1918, a mass meeting of the Americans of Lithuanian origin or descent and their friends, living in the State of New Jersey, was held on Saturday, February 12, 1972. I wish to commend Mr. Valentinas Melinas, president of the Lithuanian Council of New Jersey, Mr. Kazys Jenkunas, president of the Lithuanian American Community of New Jersey and Mr. Albin S. Treciokas, executive secretary of the United Committee of Lithuanian-Americans for their dedicated efforts in voicing the ideals and rights of the Lithuanian people, for their strong leadership and direction, and for their sponsorship of the following resolution:

Whereas the Communist regime did not come to power in Lithuania by legal or democratic process; and

Whereas the Soviet Union took over Lithuania by force of arms in June of 1940; and

Whereas the Lithuanian People are strongly opposed to foreign domination and are determined to restore their freedom and sovereignty which they rightly and deservedly enjoyed for more than seven centuries in the past; and

Whereas the Soviets have deported or killed over twenty-five percent of the Lithuanian population since June 15, 1940; and

Whereas the Government of the United States maintains diplomatic relations with government of the free Republic of Lithuania and consistently has refused to recognize the seizure of Lithuania and forced incorporation of this freedom-loving country into the Soviet Union; and

Whereas the Committee of the House of Representatives, created by *H. Res. 346* of the Eighty-third Congress to investigate the incorporation of the Baltic States into the Soviet Union, found that the incorporation of Lithuania, Latvia, and Estonia was contrary to established principles of international law; and

Whereas the House of Representatives and the United States Senate (of the 89th Congress) unanimously passed *House Concurrent Resolution 416* urging the President of the United States to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Lithuania, Latvia, and Estonia, and to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples; now, therefore be it

Resolved, That we, Americans of Lithuanian origin or descent, reaffirm our adherence to American democratic principles of government and pledge our support to our President and our Congress to achieve lasting peace, freedom and justice in the world; and be it further

Resolved, That the President of the United States carries out the expression of the U.S. Congress contained in *H. Con. Res. 416* by bringing up the Baltic States question in the United Nations and demanding the Soviets to withdraw from Lithuania, Latvia, and Estonia; and be it finally

Resolved, That copies of this resolution be forwarded this day to the President of the United States, Secretary of States William P. Rogers, United States Ambassador to the United Nations George Bush, United States Senators from New Jersey, Members of the U.S. Congress from New Jersey, Democratic and Republican leaders in the U.S. Congress, Lithuanian Minister in Washington D.C. and Lithuanian Consuls in New

York City, Chicago, Illinois, Los Angeles, California and the press.

The United Committee of Lithuanian Americans unanimously adopted the above statement during their meeting of last Saturday. I wish to add my name to their list of signatures and to once again, emphasize my support in behalf of the just cause of the Lithuanian people.

Mr. BUCHANAN. Mr. Speaker, one of the most courageous stories in the world today is the struggle for human rights, freedom and self-determination being waged in many lands against the oppressive policies of the Soviet Union.

It is most fitting that we pay tribute to the people of Lithuania today on the 54th anniversary of the creation of the Republic of Lithuania because it is here that the efforts toward the attainment of freedom continue undaunted.

The people of Lithuania are all too familiar with oppressive forms of government. In 1918 after more than 100 years under the subjugation of the Russian Empire, Lithuania proclaimed its independence and progressed as the free Republic of Lithuania for more than 2 decades.

But, in 1940, they again came under the yoke of domination through invasion and occupation by the Soviet Union. Elections were held under the barrel of Soviet guns and Lithuania was proclaimed a state of the Soviet Union.

The following year, the Lithuanians were able to overthrow the Communist regime, but their victory was short lived because they again came under despotic rule, this time by the Nazis on the move during World War II.

The departure of the Nazis unfortunately did not signify the return of freedom, but marked the return of Soviet rule.

The desire of the Lithuanian people for self-determination did not, however, succumb to the continued assault on their freedoms by the forces of oppression.

Their determination and spirit is evidenced by their prosperity and progress against odds which would have disheartened a lesser people.

But under this facade of prosperity lies the reality of a people crying to be free. We, in the United States, heard these cries more clearly late in 1970 when a Lithuanian seaman jumped ship and attempted to defect to the United States.

His battle for true freedom cost him the little liberty he was permitted to know as a Lithuanian citizen and his trial and subsequent imprisonment reflected but another phase of the denial of rights in that country.

The plight of the Lithuanians and of Latvians and Estonians who share a similar fate was again brought closer to home through discussions last year in the United Nations over the rights of self-determination for all countries. Hopefully this focusing of world attention on the lack of freedom in such countries will help alleviate some of the suffering borne so long by these people.

The Lithuanian people have a long and courageous history, dating back more than 700 years. In the past century they have known only brief periods of real freedom. The spirit of freedom remains, however, and we can but hope and pray that self-determination and the precious human rights which we in the United States hold so dear can again be realized by the brave people of the Republic of Lithuania.

Mr. MADDEN. Mr. Speaker, I wish to join in commemorating the Lithuanian-American people for their outstanding continuous fight toward some day regaining freedom for its native land—Lithuania. Today is the 54th anniversary of Lithuanian independence after World War I. For centuries past, Lithuania has at different intervals enjoyed liberty and self-government. This nation has been unfortunate by reason of its geographical location and close proximity to powerful neighbor nations who at various times in history subjected Lithuania to aggression and enslavement.

For over 120 years during Lithuania's existence, it has been under the tyrannical yoke of Russian tyranny. The spirit of freedom and self-government for Lithuania has at no time during its long history disappeared from the minds and hearts of its people. During the century and one-quarter of Russian tyranny against terrific odds, the Lithuanian people launched five major revolts against their conqueror.

On February 16, 1918, the Council of Lithuania patriots formally declared Lithuania a free and independent republic. Beginning on that day, the people of Lithuania started to build and create a modern democracy with the hope that its citizens would, for all time to come, enjoy the privilege of its own free and independent government.

No nation has ever demonstrated its capacity and ability for self-government more than Lithuania. Its civic leaders brought about long-needed land reformation, created and expanded its industry and manufacturing, established an adequate and modern transportation system, enacted social legislation and an educational policy which could well be copied by other nations throughout the world. This great progress as a free nation continued up until World War II when Lithuania again became the victim of a powerful aggressor nation who succeeded in enslaving its people.

Communist Soviet Russia disregarded all former treaties and agreements with Lithuania, suppressed and forcibly violated the political and territorial liberties of Lithuania. Lithuania and her neighbors were attacked and destroyed by murder, exile, and imprisonment in concentration camps.

The true Lithuanian who lives within the borders of the motherland or in the free United States or other lands throughout the globe will never allow his national heritage to be forgotten but will continue to fight and pray that some day, and we hope in the not far distant future, Lithuania will again become a free and independent nation.

In 1953, during the 83d Congress, I was selected by the Speaker of the House as a member of the special congressional committee to investigate Communist aggression in Lithuania along with other Baltic States. Our committee held hearings in Washington, New York, Chicago, and also in Europe. The committee took the testimony of over 300 witnesses and recorded several hundred exhibits at these hearings. We did a major service in aiding captive nations by exposing to the world the unlawful methods used by Stalin and Khrushchev and other Soviet leaders in enslaving Lithuania and other nations surrounding its borders.

The Soviet Pravda and its satellite newspapers, radio, and television denounced our committee many times during our hearings in Europe. It was the first time the Communist propaganda machine was placed on the defensive. They were without an answer to the exposition of the malicious criminal methods they used to enslave free people. Our Nation, as the leader of the free world, has made great contributions through financial sacrifice and also on the battlefield to stop the aggressive march of the Communist tyrants in their conspiracy to enslave other free nations throughout the world.

If it had not been for these sacrifices during the years since World War II three-fourths of the world might be under Communist enslavement today. The Soviet and Chinese Communist economy has been a failure. Discontent is rampant among many unemployed and starving people in Russia, China, and most of the Communist countries. The Soviet and Chinese agricultural programs have been a complete failure under their system of working for the state.

Their educational system has been completely disorganized and in most universities only reserved for the Communist leaders and their favorite satellite families. The Communist populace has completely submerged intelligence and if any individual or group of individuals assert independence from the Communist hierarchy they are arrested and confined to institutions, slave labor camps or, in flagrant cases, execution.

At no time in the centuries of civilization has any tyrannical government existed permanently with the whiplash of human slavery.

From the very first days of the Soviet occupation, Lithuanians have fiercely opposed foreign domination. Active armed resistance lasted up to 1950, and took more than 30,000 lives. Stubborn passive resistance continues. The Lithuanian nation emphatically rejects the finality of the present situation created by the Soviet aggression. The struggle will continue until freedom is restored to Lithuania. The United States and most of the free world governments condemned and refuse to recognize the Soviet annexation of Lithuania.

Mr. O'HARA. Mr. Speaker, I am pleased to join today with many of my colleagues in the House of Representatives in pausing to reflect on an especially significant occasion.

Yesterday marked the 54th anniversary of the declaration of independence by the people of Lithuania. It is one of the tragedies of our times that this anniversary is marked in memory, only—because that Baltic State exists today as

one of the "captive nations" of the Soviet Union.

Captivity seems to have been the lot of the people of Lithuania for centuries. Throughout all of the 19th century, the Lithuanian people were under the harsh and unremitting domination of the Russian czars. Throughout World War I, this valiant country was under the brutal occupation of the German Armies of Kaiser Wilhelm.

On February 16, 1918, the Lithuanian nation declared its independence—and for two decades, its people were a free people, and Lithuania was a sovereign state, and an active partner in the League of Nations—man's first attempt to create a world family of nations in pursuit of peace.

In 1940, when the holocaust of World War II raged across the European continent, Lithuanian independence came to a harsh and bitter end. This Baltic State came under Soviet domination, when the U.S.S.R. unilaterally declared Lithuania to be a "constituent republic" of the Soviet, and the Red Army took control of this tiny nation.

History repeated itself in Lithuania in World War II, for when the two great dictatorships on the European continent—Nazi Germany and Soviet Russia—went to war, the armies of Germany again swept over Lithuania, and as it had been two decades earlier, Lithuania was occupied by the Germans. Tragically, the end of World War II was not accompanied by the restoration of freedom to Lithuania. Instead that independent State was reoccupied by the Soviet Army in 1944, and since then Lithuania has been considered by the Soviet Union as a component republic.

The people of Lithuania do not consider themselves as part of the Soviet Union. Those Americans of Lithuanian ancestry do not consider their homeland to be a part of the Soviet Union. Nor has the United States ever recognized the Soviet annexation of Lithuania. Quite the contrary. Our Government continues to maintain diplomatic relations with the representative of the former independent Government of Lithuania, which has a legation in Washington.

For those of us who embrace the ideals of freedom—for those of us who still set store by the principle of the protection of human rights—today is a special day, indeed. We must never forget the fight waged by the Lithuanian people to reestablish their complete independence. As Americans, we enjoy the blessing of freedom—and we must continue to strive for the same blessings for all men.

I extend my warmest wishes to our fellow countrymen who proudly point to their Lithuanian heritage, Mr. Speaker, and I join with them in the wish that the day will come soon again when their friends and families in Lithuania can be, as we are, free men.

Mr. ZABLOCKI. Mr. Speaker, it is indeed an honor and privilege to join my colleagues in commemorating Lithuanian Independence Day. It is a date with double significance both for the brave people of Lithuania and for world history.

First, it is the 721st anniversary of the formation of the Lithuanian State in 1251 when all Lithuanian principalities were unified into one kingdom beginning a glorious tradition of nationhood. And second, it is the 54th anniversary of the establishment of the modern Republic of Lithuania on February 16, 1918.

Our commemoration of this people's history of independence is meant not only to affirm Lithuanians' desire for freedom, but also to affirm our commitment to preserve hard-earned freedoms everywhere including our own. It is for this reason that it is very fitting that we pause today in our legislative deliberations to pay tribute to the indomitable spirit of the people of Lithuania, a people whose courageous deeds give shining testimony of their devotion to liberty and freedom.

The history of Lithuania has periodically been marred with occupations by suppressive intruders. However, with each invading force the valiant Lithuanians have resisted all attempts to convert them to the Communist outlook and way of life. The Lithuanian people continue to hope and work, looking forward to the day when liberty and national independence will be restored to them. Their determination and dedication is of the same intensity which can be credited as a force which has affected the course of history.

Therefore, as we commemorate these anniversaries today, let us join our hopes and prayers with the Lithuanian people in their quest for freedom so that their goal may be realized. May this valiant country soon once again take its rightful place in the ranks of the free nations of the world.

Mr. DINGELL. Mr. Speaker, today I am pleased to join with Americans of Lithuanian descent and freedom-loving people throughout the world in observing the 54th anniversary of the Declaration of Independence of Lithuania.

It is a tragic fact that the people of Lithuania itself will be unable to publicly commemorate this historic event because of the continuing subjugation and oppression imposed upon them by the Soviet Union.

On this day it is proper that we remember that the Baltic nations—Lithuania, Latvia, and Estonia—are the victims of Russian imperialism. The Soviet regime did not gain power in these nations on the basis of self determination. Rather, after the Nazis and the Communists smashed Poland in September 1939, the Soviet Union sent its military forces into the three nations in June of 1940 and occupied them by force of arms.

The Soviet occupation forces brutalized the peoples of the Baltic nations and sent hundreds of thousands to their deaths and into detention in the Arctic or Siberia. Since June 15, 1940, these three nations have lost more than a quarter of their populations. The heavy hand of Soviet occupation continues on to this day.

However, the Baltic peoples have not accepted the Soviet occupation without strong protest. During the period from 1940 to 1952, some 30,000 Lithuanian freedom fighters lost their lives in organized resistance. While armed guerrilla war ended in 1952, a passive resistance movement continues.

The 89th Congress adopted a resolution (H. Con. Res. 416) calling for freedom for Lithuania, Latvia, and Estonia. On this the 54th anniversary of the declaration of independence of Lithuania, it is most appropriate to urge the President of the United States to implement the will of Congress by bringing the issue of the liberation of the Baltic States before the United Nations and by requesting that the Soviet Union withdraw its forces of subjugation from Lithuania, Latvia, and Estonia.

Mr. KEMP. Mr. Speaker, today I join with Americans of Lithuanian ancestry and with freedom-loving individuals everywhere in commemorating the 54th anniversary of the establishment of the Republic of Lithuania and the 721st anniversary of the formation of the Lithuanian State.

I am privileged to represent many Americans of Lithuanian descent in the 39th District of New York State and I am proud of their accomplishments and the numerous contributions which they have made to our community and our country.

The Lithuanian American Community of the United States of America, Inc., and the Lithuanian American Council, Inc., are to be commended for once again bringing these two very important anniversaries to the attention of Congress and the American people.

Each year members of Congress commemorate these anniversaries but unfortunately no concrete action has been taken by our Government to help restore self-determination to Lithuania and other captive nations.

I urge the President to instruct our Ambassador to the United Nations to demand that the Soviet Union be required to live up to charter obligations concerning self-determination for all nations.

I also hope that the President will raise the question of self-determination for Lithuania and the other captive nations during his trips to Peking and Moscow.

As an expression of support for the brave Lithuanian people and for the other nations which will struggle to obtain freedom, I include in the RECORD at this time House Concurrent Resolution 416, which was unanimously passed by the House and the Senate—89th Congress—and an essay, "Lithuania's Seven Century Quest for Freedom," which was supplied to me by the Lithuanian American Community of the United States of America, Inc.:

H. CON. RES. 416

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its

effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

[From the CONGRESSIONAL RECORD, Oct. 22, 1966]

CONCURRENT RESOLUTION TO REQUEST THE PRESIDENT OF THE UNITED STATES TO URGE CERTAIN ACTIONS IN BEHALF OF LITHUANIA, ESTONIA, AND LATVIA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1573, House Concurrent Resolution 416.

The PRESIDING OFFICER. The concurrent resolution will be stated.

The LEGISLATIVE CLERK. A concurrent resolution (H. Con. Res. 416) to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the Senate proceeded to its consideration.

Mr. KUCHEL. Mr. President, I wish to say that I am delighted that this matter is being taken up. It deserves attention in this session as a mark of our continuing concern for those peoples who have been deprived of their democratic institutions and are unable to speak for themselves.

The PRESIDING OFFICER. The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 416) was agreed to.

EXECUTIVE POSITION

The position of the executive branch with respect to the concurrent resolution is outlined in the correspondence which follows:

DEPARTMENT OF STATE,
Washington, June 1, 1965.

Hon. THOMAS E. MORGAN,
Chairman, Committee on Foreign Affairs, House of Representatives.

DEAR MR. CHAIRMAN: I am writing in reply to your letter of May 20, 1965, to the Secretary of State, requesting the Department's comments on House Concurrent Resolution 416, which has been approved unanimously by the Subcommittee on Europe and ordered favorably reported to the full Committee on Foreign Affairs. The resolution requests the President of the United States to urge certain actions in behalf of Estonia, Latvia, and Lithuania. The language of the resolution, as formulated, is not objected to by the Department of State.

The Department has been advised by the Bureau of the Budget that from the standpoint of the administration's program there is no objection to the submission of this report.

Sincerely yours,
DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional Relations.
(For the Secretary of State).

LITHUANIA'S SEVEN-CENTURY QUEST FOR FREEDOM (THE LAND OF SIMAS KUDIRKA)

"I have nothing to add to what I have already said, only one wish, more specifically, a request to the supreme court and the government of the Soviet Union: I ask that you grant my homeland, Lithuania, independence." *From appeal of Simas Kudirka during his trial.*

The Kremlin is fond of saying that Russian imperialism died with the czar. But the fate of the Baltic nations—Lithuania, Latvia and Estonia—shows this to be a cruel fiction. The Communist regime did not come to power in the Baltic States by legal or democratic proces. The Soviets invaded and occupied the Baltic States in June of 1940, and the Baltic peoples have been suffering in Russian-Communist slavery for more than 30 years.

700-YEAR-OLD STATE

The Lithuanians are proud people who have lived peacefully on the shores of the Baltic from time immemorial. For instance, this year marks the 721st anniversary of the formation of the Lithuanian state. Mindaugas the Great unified Lithuanian principalities into one kingdom in 1251.

The Baltic peoples have suffered for centuries from the "accident of geography." From the West they were invaded by the Teutonic Knights, from the East by the Russians. It took remarkable spiritual and ethnic strength to survive the pressures from both sides. The Lithuanians, Latvians and Estonians, it should be kept in mind, are ethnically related *neither to the Germans nor the Russians.*

After the Nazis and Soviets smashed Poland in September of 1939, the Kremlin moved troops into the Baltic republics and annexed them in June of 1940. In one of history's greatest frauds, "elections" were held under the Red army guns. The Kremlin then claimed that Lithuania, Latvia and Estonia voted for inclusion in the Soviet empire.

MOST BRUTAL OCCUPATION OF ALL TIME

Then began one of the most brutal occupations of all time. Hundreds of thousands of Balts were dragged off to trains and jammed into cars without food and water. Many died from suffocation. The pitiful survivors were dumped out in the Arctic or Siberia. The Baltic peoples have never experienced such an extermination and annihilation of their people in their long history through centuries as during the last three decades. Since June 15, 1940, these three nations have lost more than one-fourth of their entire population. The genocidal operations and practices being carried out by the Soviets continue with no end in sight.

Since the very beginning of Soviet Russian occupation, however, the Balts have waged an intensive fight for freedom. During the period between 1940 and 1952 alone, some 30,000 Lithuanian freedom fighters lost their lives in an organized resistance movement against the invaders. The cessation of armed guerrilla warfare in 1952 did not spell the end of the Baltic resistance against Soviet domination. On the contrary, resistance by passive means gained a new impetus.

SUCCESSFUL REVOLT AGAINST SOVIETS

The year of 1971 marked the 30th anniversary of Lithuania's successful revolt against the Soviet Union. During the second part of June of 1941 the people of Lithuania succeeded in getting rid of the Communist regime in the country: freedom and independence were restored and a free government was re-established. This free, provisional government remained in existence for more than six weeks. At that time Lithuania was overrun by the Nazis who suppressed all the activities of this free government and the government itself.

The Government of the United States of America has refused to recognize the seizure and forced "incorporation" of Lithuania, Latvia and Estonia by the Communists into the Union of Soviet Socialist Republics. Our Government maintains diplomatic relations with the former free Governments of the Baltic States. Since June of 1940, when the Soviet Union took over Lithuania, Latvia and Estonia, all the Presidents of the United States (Franklin D. Roosevelt, Harry S. Truman, Dwight D. Eisenhower, John F. Kennedy, Lyndon B. Johnson, and Richard M. Nixon) have stated, restated and confirmed our country's nonrecognition policy of the occupation of the Baltic States by the Kremlin dictators. However, our country has done very little, if anything, to help the suffering Baltic peoples to get rid of the Communist regimes in their countries.

RESTORATION OF INDEPENDENCE TO LITHUANIA

The case of the Baltic States is not a question about the rights of self-rule of Lithuania, Latvia and Estonia, since this is established beyond any reasonable doubt, but the question is how to stop the Soviet crime and restore freedom and independence to these countries. The Select Committee of the House of Representatives to investigate the Incorporation of the Baltic States into the U.S.S.R., created by the 83rd Congress, after having held 50 public hearings during which the testimony of 335 persons was taken, made a number of recommendations to our Government pertaining to the whole question of liberation of the Baltic States. According to the findings of this House committee, "no nation, including the Russian Federated Soviet Republic, has ever voluntarily adopted communism." All of them were enslaved by the use of infiltration, subversion, and force. The American foreign policy toward the Communist enslaved nations, the aforesaid House committee stated, must be guided by "the moral and political principles of the American Declaration of Independence." The present generation of Americans, this committee suggested, should recognize that the bonds which many Americans have with enslaved lands of their ancestry are a great asset to the struggle against communism and that, furthermore, the Communist danger should be abolished during the present generation. The only hope of avoiding a new world war, according to this committee, is a "bold, positive political offensive by the United States and the entire free world." The committee included a declaration of the U.S. Congress which states that the eventual liberation and self-determination of nations are "firm and unchanging parts of our policy."

RIGHT STEP IN THE RIGHT DIRECTION

The United States Congress has made a right step in the right direction by unanimously adopting *H. Con. Res. 416* (89th Congress) that calls for freedom for Lithuania, Latvia and Estonia. All freedom-loving Americans should urge the President of the United States to implement this very important legislation by bringing the issue of the liberation of the Baltic States in the United Nations and requesting the Soviets withdraw from Lithuania, Latvia and Estonia. The time has come for the whole world to demand that the principle of self-determination be respected and that the nations of Lithuania, Latvia and Estonia, too, shall be free from domination and be permitted to choose their own form of government. We should have a single standard for freedom. Its denial in the whole or in part, in any place in the world, including the Soviet Union, is surely intolerable.

Mr. HOGAN. Mr. Speaker, I join with Lithuanians all over the world in commemorating two very important anniversaries this week. This is the 721st anniversary of the formation of the Lithuanian State and this is also, happily and sadly, the 54th anniversary of the establishment of the modern republic of Lithuania on February 16, 1918. I say

happily because the Lithuanian people are celebrating their independence and sadly because this year marks the 31st year that this independence has been betrayed by the Soviets.

Celebrating Lithuanian Independence Day is rather like celebrating someone's birthday in which the celebrant is not allowed to come to his own birthday party. For, ever since June 15, 1940, when Soviet armies, following a deal with Nazi Germany, marched into and forcibly took over Lithuania and two other Baltic republics, the Lithuanian peoples have been unable to publicly commemorate, or exercise, their independence.

The native Lithuanians are commemorating their independence right now, not by jubilant bonfires of celebration, but by small candles which burn in secret, not by exciting public fireworks displays, but with that inner spark of freedom which no amount of Soviet subjugation can extinguish. This celebration is sad also in a very real, human sense. Since the occupation by the Soviets of Lithuania, Latvia, and Estonia in 1940, these peoples have actually lost one-fourth of their population to Soviet labor camps, Siberian concentration camps, and outright annihilation. In the place of a joyful Independence Day celebration, we find in many cases only the painful sorrow of the memory of departed family members, taken not by disease, not by pestilence, not by war, but by the policy of the Government of the Soviet Union.

Mr. Speaker, I am happy to report that the Government of the United States has never recognized the legitimacy of Soviet domination over the Baltic States of Lithuania, Latvia, and Estonia. Yet, I also am aware that nothing has been done to change the plight of these peoples in the last 31 years. I submit that this Baltic tragedy is a prime subject for consideration on the agenda of the United Nations. The United Nations supposedly exists for the purpose of righting international wrongs, of settling international disputes, of checking international imperialism. In the case of these Baltic States, the world has witnessed a very grievous wrong, a continuing dispute, and one of the world's worst examples of imperialism. I urge President Nixon, through the Ambassador to the United Nations, Hon. George Bush, to focus the eyes of the world upon this Baltic tragedy, so that, hopefully, we may some day bring true joy and liberation to the celebration of Lithuanian independence.

Mr. YATRON. Mr. Speaker, Americans of Lithuanian origin or descent and their friends in all parts of the United States will commemorate two very important anniversaries this month. First, they will observe the 721st anniversary of the formation of the Lithuanian State when Mindaugas the Great unified all Lithuanian principalities in 1251. Second, and perhaps most important, they will mark the 54th anniversary of the establishment of the modern Republic of Lithuania on February 16, 1918.

As most Americans know, Communist dictatorship began in the Soviet Union on November 7, 1917. What must be emphasized, however, is that the spread of communism not only began during those dark days of 1917, but also continued through World Wars I and II and progresses even today.

The Communist regime did not come to power in Lithuania, or the two other Baltic States of Latvia and Estonia, by legal or democratic processes. The Soviets invaded and occupied the Baltic States in June of 1940, and the Baltic peoples have been suffering ever since. Regrettably, the Balts have had to suffer oppression for centuries due to "the accident of geography." From the west, they were invaded by Teutonic Knights, and from the east by the Russians. Accordingly, it has taken remarkable spiritual and ethnic strength to survive these pressures from both sides.

Just as the Balts resisted invasions throughout the centuries, they have waged an intensive fight for freedom since the very beginning of Soviet occupation. During the period between 1940 and 1952 alone, approximately 30,000 Lithuanian freedom fighters lost their lives in an organized resistance movement. The cessation of armed guerrilla warfare in 1952, however, did not spell the end of Baltic resistance against Soviet domination. On the contrary, resistance by passive means gained new impetus.

Such passive resistance has also been exhibited by the U.S. Government since we have refused to recognize the seizure and forced "incorporation" of Lithuania, Latvia, and Estonia by the Communists into the Union of Soviet Socialist Republics. Our Government maintains diplomatic relations only with the former free governments of the Baltic States and not the Soviet dominated puppet governments in existence today.

Since June of 1940, when the Soviet Union took over Lithuania, Latvia, and Estonia, all the Presidents of the United States have stated, restated, and confirmed our policy of nonrecognition of the occupied Baltic States. Hopefully, the present generation of Americans will continue to recognize that the bonds which many U.S. citizens have with enslaved lands of their ancestry are a great asset to the struggle against communism.

The U.S. Congress has made a step in the right direction by unanimously adopting House Concurrent Resolution 416 which calls for freedom for the Baltic States. It is my hope that all freedom-loving Americans will urge the President to implement this very important legislation by bringing the issue of the liberation of the Baltic States to the United Nations to request that the Soviets withdraw from Lithuania, Latvia, and Estonia.

Certainly, the time has come for everyone to demand that the principle of self-determination be respected and that the nations of Lithuania, Latvia, and Estonia be free to choose their own form of government. We should have a single standard for freedom. Its denial in whole or in part, anywhere in the world—including the Soviet Union—is surely intolerable.

Mr. MINISH. Mr. Speaker, I rise to pay tribute to the people and the spirit of Lithuania. This week marks the 54th anniversary of the establishment of the modern Republic of Lithuania on February 16, 1918.

During the time of Lithuanian independence, agricultural techniques improved, land reform programs were instituted, and Lithuania became a proud nation of small farmers. Industrialization, however, also made great headway. Labor control laws were enacted and other significant social measures were introduced. In addition, Lithuanian literature, opera, and music abounded.

Since 1940, the brave people of Lithuania have been subject to domination and exploitation by the Soviet Government. They have been forcibly deprived of their freedom and independence and they have been the victims of a brutal campaign to destroy all vestiges of Lithuanian cultural identity.

Despite the oppressive nature of their captors, the Lithuanians have persevered in their determination to be the masters of their own destiny.

Mr. Speaker, as long as the United States maintains its belief in the universal principles of independence, personal liberty, and human dignity, we must never forget Lithuania and its gallant struggle for self determination.

GENERAL LEAVE

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and to include extraneous matter on the subject of my special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

HIGH FOOD COSTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas (Mr. SEBELIUS) is recognized for 10 minutes.

Mr. SEBELIUS. Mr. Speaker, for some time now, consumer storm clouds have been brewing up a protest regarding high food costs. Yet, despite these warnings, I must admit I have been amazed at the outpouring of blame and criticism directed at farmers and cattlemen regarding meat prices. We have seen a virtual "consumer blitz" attacking farmers and cattlemen for high food costs.

Of course, the consumer is understandably concerned and upset over high food prices. And, where there is a well of concern, one can always find those who are willing to pump it dry. However, I submit those who are doing the "pumping" are doing so without justification and fact regarding farmers and cattlemen.

Consumer advocates have been publicizing and lobbying for price controls on agricultural products and a significant increase in meat imports. Despite the easy-answer and "quick-logic" appeal of these proposals, neither approach would be in the best interests of farmers and consumers.

Price controls on agricultural products would require yet another commission and bureaucracy to supervise and would be impossible to administer. Price controls would not achieve the desired results and would be most unfair and inequitable in that the market price to farmers would be frozen while "middle-

man costs" would remain untouched. Most important from the standpoint of the farmer, controls would freeze farm prices at unfair and depressed levels in relation to the rest of our economy.

Confronted with this "blitz," the livestock producer and representatives in the Congress who are keenly interested in this vital national and world industry are in somewhat of a dilemma. There is no question we are outnumbered. Most of the publicity given to high food costs does not take into account the farmer's side of the story.

I am hopeful, however, we can apply the philosophy of the old story about two frogs in a milk can. We may be small in number, but we can make a powerful racket.

Let us consider some pertinent facts. True, beef prices have reached a 20-year high—and it is about time. The farmer is just now receiving a fair price at the marketplace, or what was considered fair 20 years ago. How many wage earners or professional men would settle for a 1951 family income in 1972? The significant point is that the cattle prices are not responsible for the 22.4-percent increase in consumer beef prices. The costs of labor, inspection, processing, packaging, transportation, et cetera, have all gone up. These "middleman costs" have gone up in part because the consumer will not buy meat from the grocer's shelves unless it is inspected, packaged and a high quality product. I am sure the consumer would not want it any other way.

These costs remain hidden to the consumer and would not be affected by any price freeze or decision regarding meat imports. I have yet to hear any consumer advocate propose controls that would freeze the cost of each step involved in bringing beef products to the consumer. A price freeze in order to be fair would not only freeze cattle prices, but would also freeze the cost of labor, inspection, processing, packaging, transportation, et cetera. Of course, this kind of inverse "value added price freezing" would be impossible.

I would also like to point out the American consumer is eating more beef compared to 1951. Beef consumption was only 56 pounds per person in 1951 compared to 114 pounds per person today—and the housewife is getting a better bargain. In 1951, 23 percent of her income dollar went for food. Today, that figure is 16 percent. The consumer, in fact, is getting a higher quality product for less cost and a product designed specifically to meet consumer demands.

Mr. Speaker, Secretary of Agriculture Earl Butz put it very succinctly and made a great deal of common sense when he summed up housewife concern over high food costs and said:

The housewife may spend more on her week's trip to the supermarket, but when she gets home and complains about food prices, she takes pantyhose, detergent, mouthwash and floor wax out of the shopping bag.

It is time we put food costs in perspective. During the last 20 years, personal income per person increased 254 percent, wages increased 128 percent, the consumer price index increased 56 percent, the cost of services increased 108 percent, and transportation costs increased 64 percent. Food costs have risen 43 percent and beef prices only 22.4 percent. Yet the farmer and the cattleman have been singled out for attack.

If anyone should be complaining, it is the cattleman, not the consumer. The beef producer's costs have increased 48 percent since 1951 and he still receives the same price for his product. Those who have managed to stay in business have done so through remarkable efficiency and productivity. This efficiency and productivity have meant significant consumer savings. Nowhere else in the world can the consumer buy a higher quality meat at such a bargain price. I might add efficiency and productivity gains are topics we seldom hear today in connection with demands for increased wages. These are the demands that result in higher consumer costs, not those of the cattleman.

The American beef producer is only asking what every farmer deserves—a fair price at the marketplace. Drastic measures such as a price freeze on agricultural products or an increase in meat imports will not answer the food cost problem. In fact, they would cripple the livestock industry and endanger the one source of farm income considered "adequate" in our entire agriculture economy. They would also endanger the livestock industry's capacity to satisfy future consumer demands for quality beef at a reasonable price. Finally, drastic measures of this type do not take into account that $1 of beef cattle production generates almost $6 in our overall economy.

Mr. Speaker, I submit to my colleagues who are waging this "consumer blitz" that they should redirect their efforts. Those who are advocating an increase in meat imports are in truth advocating an inferior product with no decrease in price— and they are doing so at the farmer, the consumer and the Nation's expense.

I have written Secretary of Agriculture Butz expressing my full support for his efforts in opposing controls on agricultural prices and to negotiate a voluntary meat import restraint program at the lowest possible level. I have also written the President in this regard and urge my colleagues to do the same. We have already witnessed a "psychological drop" in the cattle market and it should be clear that the drop in price has not affected the price of meat in the grocery store one whit.

LEGISLATION TO ESTABLISH FLOOD-PLAIN POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BLACKBURN) is recognized for 15 minutes.

Mr. BLACKBURN. Mr. Speaker, today I am introducing a bill to establish a national flood-plain policy and to authorize the Secretary of the Interior, in cooperation with Federal agencies and the States, to encourage the dedication of the Nation's flood plains as natural floodways, to protect, conserve, and restore their natural functions and resources, and for other purposes.

The flood plains of the Nation's rivers and streams naturally serve functions of floodwater detention and regulation, water conservation including groundwater replenishment, soil conservation, bottomland hardwood timber production, and fish and wildlife production. In conserving soil and reducing sediment production, they lengthen the life of downstream reservoirs, channels, harbors, and estuarine areas. Additionally, they provide open space, areas of scenic and other outdoor recreational attractions, and sites for scientific and educational ecological purposes. These functions and values deserve full recognition in the planning and development of the Nation's lands and waters which are not presently provided because of imperatives of economic development.

The proposed bill would find and declare that flood plains have the above values to the Nation; would direct Federal agencies constructing, sanctioning, or assisting the construction of water and land development works which affect flood plains to give priority consideration to their preservation, would authorize such agencies to acquire, support, and encourage the acquisition of estates in flood plains at Federal cost, with administration optionally vested in the States; would require perpetual use of such acquired lands for such purposes as are compatible with purposes of the bill, including fish and wildlife habitat, outdoor recreation, timber production, natural area preservation, and the like, as well as established conforming economic uses.

The bill would require Federal planning and construction agencies to conduct public hearings and to obtain and publish the views of the Secretary of the Interior prior to implementing plans in the Nation's flood plains. It would insure consistency of administration of the bill's provisions with other acts through development of guidelines by the Water Resources Council. Use of eminent domain would be limited where valid and effective land-use regulations are in effect.

The objective of the bill is to encourage selection of nonstructural alternatives by Federal flood control and flood prevention planners in the interest of natural area preservation and maintenance of environmental quality. Planners would be clearly provided the option of analyzing the benefits and costs of floodplain acquisition as an alternative to channelization or other flood protection and prevention measures. Where this alternative demonstrated a competitive or better benefit-cost ratio, agencies would be encouraged to seek its authorization.

The proposal is in harmony with the declarations and purposes of the National Environmental Policy Act of 1969 (83 Stat. 852), the Fish and Wildlife Coordination Act (48 Stat. 401), as amended, the National Flood Insurance Act of 1968 (82 Stat. 572), and the Wild and Scenic Rivers Act (82 Stat. 906), as well as a number of other acts.

It would supplement and round out existing water development planning authorities. It would be a logical corollary

of the Fish and Wildlife Coordination Act which provides that fish and wildlife shall be equally considered with other features in water resource development planning. In many cases, fish and wildlife, as well as outdoor recreation and flood control, could be best served at lowest cost by outright acquisition of flood hazard areas. Further, the bill compliments the provisions of section 103 of the National Environmental Policy Act of 1969 which requires review of present statutory authority, regulations, policies, and procedures which prohibit full compliance with purposes and provisions of that act followed by the proposal of corrective, conforming measures.

Since the proposal anticipates least-cost solution of flood management with coincident natural area and environmental quality preservation, savings in flood control and flood prevention costs as well as in social costs are expected.

TAKE PRIDE IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's pioneers of progress and in so doing renew our faith and confidence in ourselves as individuals and as a nation. The elevator was invented by American Elisha Otis in 1854.

PRESIDENT'S JOURNEY FOR PEACE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. YOUNG) is recognized for 5 minutes.

Mr. YOUNG of Florida. Mr. Speaker, earlier today I returned from the South Lawn of the White House where the President of the United States boarded his helicopter for the first leg of his historic journey for peace to Communist China.

Standing there in the cold and light snow, as President Nixon made his parting comments, the hushed mood of the crowd became more and more evident to me—it was almost as though every one realized that despite the many, many months of preparation by man, the success or failure of this mission is really in the hands of God.

As the President streaks closer to his destination, I asked the people of my congressional district in Florida to join me in wishing President Nixon Godspeed. And, I hope that my colleagues and their constituents will join my prayers and those of the citizens of my district in asking God's guidance to be with the President for these next 10 days as he seeks a way for the people of America and the rest of the world to experience a full generation of peace.

UNEMPLOYMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. DENT) is recognized for 62 minutes.

Mr. DENT. Mr. Speaker, I take the floor today to discuss, in a very limited time, what I think is the most serious problem facing this country and the world.

My first observation is to note again for the record, that another group of Americans have lost their jobs; and, according to their employers, the jobs have been exported to foreign countries. At this time I will read into the record correspondence from the Westinghouse Corp., noting the Westinghouse Corp.'s announcement of the closing down of one of its facilities in my area.

WESTINGHOUSE ELECTRIC CORP.,
Blairsville, Pa., January 20, 1972.

The Honorable JOHN H. DENT,
House of Representatives,
Washington, D.C.

DEAR MR. DENT: It is with profound regret that I advise you of the close-down of the Wrought Products Department of the Specialty Metals Division of Westinghouse Electric Corporation in Derry Township, Westmoreland County, Pennsylvania. Our Wrought Products Department was basically in the specialty steels business which has simply become impossible to continue due to intense foreign low priced competition.

We are including with this letter three pieces of correspondence that will give you more information on this subject. This decision unfortunately affects approximately 250 of our 560 people employed at this plant.

As you are undoubtedly aware, the quota type system for limiting steel imports into the United States has dealt a severe blow to the specialty steel producers. It is only natural that a foreign producer would be more interested in filling his quota with high value specialty steels rather than with low cent per pound ordinary grades. We in the specialty steels business have found ourselves under even more attack and pressure than the rest of the steel industry.

I regret having to send you this communication but look forward to having the honor and pleasure of meeting you in the future.

Very truly yours,
L. A. MEIERKORD, Jr.,
General Manager.

WESTINGHOUSE ELECTRIC CORP.,
Blairsville, Pa., January 20, 1972.

FELLOW EMPLOYE: As you all know, the market for our Wrought Products is severely depressed and for several years we have faced very fierce domestic and foreign competition. Since the middle of 1971 we have been studying the Wrought Products operation. In previous letters to you, I have discussed our efforts to find solutions to the problems faced by this Department. Our basic concern was how we might be able to successfully stay in the business and continue to provide jobs.

As we studied the problems, a number of possible solutions were explored in depth. I mentioned several of these to you in my letter of October 28, 1971. Reluctantly, we have come to the conclusion that there is no reasonable way we can stay in this business.

Today I have the unenviable task of announcing that our Wrought Products Department is to be phased out of operation. We are getting out of the business completely . . . selling, if possible, work in process, scrapping remaining raw materials and putting all machinery and equipment up for sale. Our customers—both inside and outside Westinghouse—will have to find other suppliers.

This decision will result in a reduction in force of approximately 250 of our present total employment, which is currently 560.

The first employes to be affected by the phase-out will probably receive reduction-in-force notices before the end of this month, and we anticipate being out of the Wrought Products business within a few months. I cannot give you any firm schedule because the final decision on this action was only made this week.

We are willing to sit down with union leaders to try to work out the best possible procedures under the circumstances, giving full consideration to the length of service of our employes.

You can be certain that the Division and the Company will make every effort to find new jobs for all those who are up for disposition as a result of us phasing-out our Wrought Products Department.

For example, we are going to run advertisements in the local newspapers and the Pittsburgh newspapers to advise potential employers of the skills and availability of Blairsville employes.

We are going to invite potential employers to interview available employes right here in our plant.

I am asking local community leaders to let me know if they know of the availability of any jobs in the immediate area.

We will try to get the State Employment Service representatives to come to the plant, if practical.

All employes affected will get full and complete information on available benefits, including such things as Layoff Income and Vacation Eligibility.

You may ask what is going to happen to the manufacturing space now occupied by Wrought Products. Although details are incomplete, we plan to renovate this manufacturing space. Hopefully, this renovation will begin soon and eventually lead to new or expanded manufacturing operations related to the growing market for our tubular products.

Making this announcement is an extremely difficult task for me. I find little consolation in the hard, cold fact that the Division and the Company can no longer stay in the Wrought Products business.

This Division faces an extremely difficult time in the weeks and months ahead. However, I am counting on the cooperation of every employe to assure the success of the operations that will continue here at Blairsville.

Very truly yours,
L. A. MEIERKORD, Jr.,
General Manager.

WESTINGHOUSE ELECTRIC CORP.,
SPECIALTY METALS DIVISION,
Blairsville, Pa., January 21, 1972.

TO OUR FRIENDS IN THE COMMUNITIES SURROUNDING BLAIRSVILLE: I am sorry to announce that the Westinghouse Specialty Metals Division is phasing out our Wrought Products Department. As you can see by the attached copy of the letter I have sent to all employes, we cannot reasonably stay in the wrought products business in face of the depressed economic condition of our markets and the intense competition we have faced from foreign suppliers of similar products.

One of the biggest concerns I have about the decision we have been forced to make is the economic impact this decision will have on the communities where affected employes live. However, we had to face up to facts and make a decision based on those facts. We explored every possible alternative and came up with nothing except the fact that we could no longer stay in this business.

Our tubular products operation will continue at our Blairsville plant, and the outlook for this end of our business is reasonably good. In fact, we are planning to renovate the manufacturing space now occupied by our Wrought Products Department and devote this space to increased production of tubular products and related activities.

As I said originally, I am sorry to have to give you this information. We are going to

make every effort we can to find jobs for any of our employes who may be affected by this decision. If you know of any jobs that might be available for any of our employes I would appreciate hearing from you, or if you have any questions about what we are doing I would be glad to have you call me.

Very truly yours,

L. A. MEIERKORD, Jr.,
General Manager.

My reply to Mr. Meierkord follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 9, 1972.

Mr. L. A. MEIERKORD,
Specialty Metals Division,
Blairsville, Pa.

MY DEAR MR. MEIERKORD: I hesitated to answer your letter of the 20th dealing with the closing down of the specialty metals division of your Derry plant. I have known the problems of specialty metals and specialty steel industries since I started to look into the impact of imports on American industries back in 1959. At that time we could almost pin-point the individual companies and products that were going to be selected as targets by the import crowd. However, today they do not bother to take sight and aim at a specific target, but instead they use a scatter gun approach and are successfully shooting down any and all of our production facilities in almost every line of product.

It does not do any good to say "I told you so", nor does it do any good to make any one or any group, or any business entity a "whipping boy".

It is a collective calamity and one that may not have enough time remaining, for a final gasp of breath, to make a turn around the whole policy, philosophy and practices in our foreign trade legislation.

Just recently I received information that while the voluntary steel agreements had expired formally that informally the Japanese and other nations said they would restrict their exports to the United States by the terms of the voluntary agreement. Just like everything else, our trading partners tell us, it was just "words"; and, as usual the promise was not kept. The agreement allowed 14 million tons of imports (giving up 84,000 steel jobs, plus 252,000 supporting jobs). We imported 18 million tons in 1971. Our unemployment was 24,000 direct and 72,000 indirect higher than the year before.

The real cancer that is destroying this nation and its peoples is the expanded power of the State Department, over the very life and death of the economic body of this country.

In my 12 or 13 years of observation and investigation, hearings and in-depth studies of our international trade I have watched how thoroughly the export-import groups have manipulated Congress, the Administration, labor leaders, businessmen, public and semi-public associations and groups, industries and above all the news media into a dilemma which apparently has no solution.

We find one group of labor supporting free trade since it just so happens that they are making a product using machine tools or war goods and food stuffs. Then there is another group who feels the pinch of imported products and knows that the imports are destroying our job opportunities. In the same predicament or even worse, in some cases, we find industry. Some corporations will have certain divisions that are in the import business and others that are being strangled out of existence because of imports. Incidently, Westinghouse has this dilemma. It is an impossible and unbelievable situation. Corporate paychecks are going to two, three, or more different sets of public relations men, and every one is being paid by the same paymaster but each public relations man is negating the work of the others.

The answer to trade is simple, in fact it is so simple that no one believes it's the answer! The answer is to de-escalate imports over the same amount of time that they escalated. In doing so, our economy would start to pick up and since the de-escalation would take place over a period of time the other countries that trade with us would have ample time to produce products for which they have a market or to make markets for their products in their own country by raising purchasing power in direct ratio to the required purchasing power needed to buy their production.

Legislation has been ready and is ready now for introduction that follows the lines I have mentioned. I will be very happy to meet with you and representatives from any other group that is interested in this type of legislation. Any time you are ready just let me know.

With kindest personal regards, I am

Sincerely yours,

JOHN H. DENT,
Member of Congress.

P.S.—There are only two outs for this Nation: either we de-escalate foreign products or we freeze them by boycotting at the consumer level. We will fall, harder and further than the Roman Empire, in our generation, if we do not.

This is not an isolated incident, it has happened all too often; and, most recently when the glass plant in Arnold closed down completely, the aluminum plant in New Kensington is being phased out, Braeburn Steel in the last month closed its doors and Latrobe Steel, one of the great specialty steelmakers in the country is gasping for breath. Some of us, with our ears tuned to the welfare of our districts, can hear the death rattle of other production facilities. too.

The answer, of course, is in the hands and consciences of the Congress. At this point, Mr. Speaker, allow me to introduce a letter from the American Chamber of Commerce in Thailand.

THE AMERICAN CHAMBER OF COMMERCE IN THAILAND,
Bangkok, Thailand, January 24, 1972.

Hon. JOHN H. DENT,
House of Representatives,
Washington, D.C.

DEAR MR. DENT: For more than a quarter century, the United States has advocated free trade. Now—because our government's burdens abroad are domestically unpopular and because we have been slow to demand that other developed nations pursue equally free trade policies—American labor leaders cry for protection against the "export of jobs" and uncompetitive manufacturers beg for import quotas and higher tariffs. Instead of acting to cure basic problems, you are moving to treat the symptoms.

As President of the American Chamber of Commerce in Thailand and on behalf of its 200 U.S. businessmen members, I write to protest both the content and the philosophy of Senate Bill 2592, the "Foreign Trade and Investment Act of 1972."

In commerce, finance and industry here in Thailand, we Americans find it increasingly difficult to compete with Japanese businessmen, who come here armed with every advantage their government can provide—personal and corporate tax incentives, long term subsidized financing, preferential shipping rates, technical assistance and support grants etc. Unencumbered by antitrust legislation, Japanese firms collaborate among themselves to set prices and divide markets, quite effectively excluding competitors from America. Thus the Japanese have captured much of the market America once enjoyed here for consumer goods, autos and trucks, steel products, marine motors and pumps, construction services, office equipment, chemicals, synthetic fibers and many more products, projects and services.

With only 37 million people, the majority of them poor, Thailand's market is not vital to American exporters. But the competition here is typical of what other American businessmen face all around the world. Until we can match it and recapture for the U.S. a reasonable share of the total market, our trade imbalances will continue. The Japanese will continue to undersell us until our own technology advances and our own efforts to modernize production facilities and to control other key cost factors, including wages and benefits to workers, make it possible for us to match them. Your proposed S. 2592 will retard progress in these directions should it pass.

Nor can our trade imbalance be resolved by limiting imports and precluding exports of U.S. technology. It best can be resolved by more effective competition in international markets, which cannot be achieved through protective policies.

Observing the American scene from abroad, we expatriate U.S. businessmen note the inordinate power of organized labor. The long dock strikes have further undermined the confidence of foregn buyers in our ability to deliver the U.S. goods we offer for sale. Labor leaders' demands for ever-higher wages and benefits, totally unrelated to increased productivity of labor, have forced American producers to increase prices, thus causing government to increase either its taxes or its deficits. Since goods are overpriced, sales decrease at home and abroad, and foreign goods at reasonable prices flow in to capture markets, domestic and foreign. This causes unemployed and makes prices rise even higher because of the smaller quantities over which fixed costs can be spread.

On September 28, Senator Hartke said of S. 2592, "In this bill the key word is production." Certainly more U.S. production is needed—but at lower, not higher, cost. Behind the quota and tariff barriers he proposes to erect, U.S. prices will climb still further. He also said the bill can end the "giveaway" of American jobs, and that technology transfers by U.S. firms would cease. We deny that American jobs have been exported: they have been forfeited due to U.S. labor leaders' demands for more compensation than workers have earned. Technology transfers might be legally frozen by your bill, but this would only encourage our foreign competitors to greater research efforts of their own. It also could cause a reverse "brain drain" should U.S. scientists choose to work where their efforts would be better subsidized and rewarded than at home. Unless you are prepared to deny to certain Americans the right to live and work where they choose, you cannot erect a wall to lock U.S. technology in. You probably will only create a barrier to preclude rapidly-advancing foreign technology from coming to the aid of hard-presed American production facilities.

Senator Hartke's remarks prefacing his bill in the Congressional Record of September 28 effectively tell late developing countries such as Thailand to look to Japan or Germany for aid, technology, engineering services, atomic power plants, etc.—all of which they require in growing quantities in years just ahead. By co-sponsoring this bill, you are saying that close and friendly relations with the United States and with U.S. business no longer are important to us. You are inviting leaders of such nations to reciprocate directly against American firms and investors already located within their control. Such investments, in the last few years, have begun contributing significantly to the favorable side of the U.S. trade and payments ledgers, but they easily can be "held to ransom" by foreign governments if America now

abdicates its long-standing and progressive trade policies.

Few Americans working abroad will disagree that the U.S. must continue to produce a wide variety of goods within its own borders in order to remain industrially self sufficient. But control of the inordinate demands of labor's leaders, further modernization of production facilities, greater investments in basic and applied research, new progress in marketing and transportation methods would provide a more effective route to self sufficiency than will denial of principles America has advocated in world trade. Once given arbitrary authority to establish quotas on now unregulated imports, the new government agency you propose could act, upon request from any manufacturer or labor leader, to erect import barriers against almost anything, to support uncompetitive U.S. producers and shelter unproductive American workers. Such a risk seems more dangerous than the presumed benefits warrant.

Consider, please, the thousands of Americans serving overseas for the multinational corporations you propose to regulate. How many will lose jobs or find themselves working for the same firms under different flags once these corporations are driven by your policies to flee America? Tighter regulation imposed unilaterally by the U.S. will not solve the problems you attribute to multinational corporations. Rather, it will increase the strength in world markets of similar firms based elsewhere. America's balance of trade and payments will become worse, not better, and her chances of exporting goods and services will be further reduced. The proposed bill obviously is self-defeating.

We of the American Chamber of Commerce in Thailand, in concert with fellow U.S. businessmen throughout the Asian Pacific region, will watch closely the actions taken by you and your colleagues on the S. 592 proposals, whether as a package or piecemeal. We are alerting our home offices, our friends and others in America to the dangers we see in the proposals. We will do all we can to muster the American electorate—including the more sensible members of the organized labor movement—to react at the polls at the earliest opportunity against members of Congress who support any of the reactionary trade legislation you are co-sponsoring.

Sincerely yours,

J. M. AHRENS, *President.*

I will only comment on the last paragraph of the chamber's letter, which is, without a doubt, the boldest expression of selfish interest that I have read in a long time. The audacity of a foreign-based American to threaten Members of Congress, who in good conscience believe their duty is to the American people, should give all of us a moment of pause to reflect upon what manner of beast is this, that is so foreign to the problems and the needs of our people here at home that he would attempt to destroy the body politic that allows him to enjoy the benefits of a citizen without the obligations of a citizen. The primary obligation I speak of is namely, to pay his share for the unemployment that is slowly, but surely, destroying the source of his own welfare. So, Mr. Speaker, I put aside the personal threat, and the threat to my colleagues because the matter of our election to this body is of little note; and, the only important thing is the survival of our Nation and the welfare of our people.

My answer to Mr. Ahrens follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 9, 1972.

Mr. J. M. AHRENS,
President, the American Chamber of Commerce in Thailand, Bangkok, Thailand.

MY DEAR MR. AHRENS: I appreciate your long letter and explanation of your views on free trade. Incidentally, these same arguments could be made for the American economy.

Your arguments are those of exporting nations in the main. You complain about my own sponsorship and others for legislation which is aimed at limiting importation of some products into this nation, or raising the tariffs on those goods coming into the country. It has probably never struck you or any other American ex-patriate that the mighty might of this nation was not created by free trade, but through job opportunity. The so-called "free trade" concept now in vogue is contrary to the needs of our country. What no one seems to realize is that when our industries are impacted by imports and our workers lose their jobs there is no market for American goods or, in fact, any goods. Without jobs there are no wages and with wages there is no buying power for anyone's goods. We cannot forever borrow money to buy our products and certainly not Foreign products.

In your letter, among other opinions and views, is a political threat, and I quote back to you what you have said, "We will do all we can to muster the American electorate—including the more sensible members of the organized labor movement—to react at the polls at the earliest opportunity against Members of Congress who support any of the reactionary trade legislation you are co-sponsoring". Now in order that you and I understand each other let me just send you a copy of a letter from the Westinghouse Electric Corporation, which is similar to hundreds already in my files on the impact of imports.

Also, you might be interested in the latest editorial of the Christian Science Monitor dealing with foreign cars. The brand new Chrysler plant in my District has just announced that they will have no operational money this year, therefore there will be no cars produced from that plant. No cars, no work; no work, no wages; no wages, no buying power for anyone's goods. The editorial shows why this new plant will not have any operational money.

I am, also, enclosing two more letters from industries in my district who are suffering from excessive imports. The first is part of a letter from Braeburn Steel (and my reply to them); the second, is from Bethlehem Steel Corporation. I have had Braeburn Steel in my district for as long as I can remember but now they have finally absorbed all they could from imports.

The Alcoa Wearever plant, in my younger days, employed thousands of workers. They manufactured household utensils and thrived even though our population was only about ¼ of today's consuming population. Now, however, they can not compete and have been forced to close down. They could not compete with low-waged countries who pay their employees only a fraction of what they had to pay theirs. Their employees paychecks are eaten up by taxes of 50–60% of their gross incomes. These taxes, direct or indirect, were used to make it possible for you and other ex-patriates to establish businesses and enterprises overseas. You as a representative of that great group, who are go-betweens for the export of American jobs by the importation of foreign products, have had a great deal to do with the downfall of the American economy and the need for compulsory tariff barriers and import limitations.

You cannot gain my sympathy for your loss of business because of Japanese competition, because the United States has had this problem for years and not just with Japan. We have had foreign competition from other Asiatic and other low-waged nations who do not want to compete on a fair basis. Slowly, but surely, we are being strangled economically and the lifeblood of the American economic well-being is being drained.

If you represented a district, as I do, that has lost three steel plants in the last two years, has between 30–60% unemployment in the remaining specialty steel plants, lost the Alcoa plant, the Braeburn plant, watched the largest glass plant under one roof (in Jeannette) practically close, saw our hand made glass plants close down (leaving only 2 in existence), watched the coal mines go out of business because of imported oil (and now they can't reopen because they became flooded and it is not economical to reactivate them), saw the tennis ball industry go out the window because of imports, and watched as the Pennsylvania mushroom industry, the largest in the United States, fell off 40–50%; and, not to be forgotten, is the large BOF plant, Pittsburgh Steel, which had to turn out its fires not long ago, and the tool steel industry, that never missed paying a dividend until last year, has found its stocks, originally valued at about $40, down to as low as $6.50. You watch all this happen and then see if you could criticize me for being a "protectionist". Would you then blame me for trying to help my people keep their jobs?

I came to Congress an adamant free trader until I was assigned a select subcommittee to study the impact of imports on American employment, in the late 1950's. I gained an education from these studies and became a protectionist. You may have a copy of the damaging testimony, which is now in short supply. Many Americans are now realizing that we have a major unemployment problem in the United States because of excessive trade caused by foreign aid, unemployment, war, welfare and related expenditures. If you wish a copy let me know and I will try to obtain one for you.

At the time of my committee investigation many plants and industries warned of the danger from imports and American overseas production facilities, that shipped their product back to the United States. The public did not believe it until now, when plants are closing and businesses are going bankrupt daily.

I need not tell you, since you are a businessman, that every time an American worker losses his job, two or three service and supporting employees lose their jobs. The unemployed can only buy less goods, ours and yours.

Last Christmas I bought my staff and a few friends radios labeled "Westinghouse". They were very small but good radios with a battery recharger, flashlight, cigarette lighter and cost about $20.00 each. It wasn't until I opened the case to replace a bad battery that I found the product came from Thailand. There was no indication that Thailand was the country of origin except inside the case.

I know that by your standards, it is a rather selfish concept to fight for American jobs and to believe that lowering tariffs will create unemployment and adversely affect our economy, but from what I have seen over these many years I can not help believing we are in serious trouble.

When you can prove to me that lowering tariffs and encouraging more imports will create prosperity and jobs, I will re-consider my position. If lowering tariffs and lifting trade barriers would help economy, then why don't Thailand and other trading nations do the same thing, and why are all of you so "eager" to help our economy and not your own?

When trading countries pay our wage base and live by our social structure and have basically the same tax structure, then and only then will I consent to "free trade". (We also have a $90 billion defense budget which no other country has.)

If you can assure the Congress of the United States that once we get into this free trade position there will be no more Vietnams, Koreas, or Middle East crises, and that we will have a long and prosperous peace, I assure you I will change sides on this issue. Also, Congress should receive assurance that there will be no more welfare, and unemployment, treasury aid for industries who have suffered from imports. Congress should be assured of these conditions before allowing free trade, because as Members of Congress their number one duty is to the people of the United States.

I now believe we understand each other.

Sincerely yours,

JOHN H. DENT,
Member of Congress.

P.S.—I have spent 40 years of my life as an elected official in public service, and if you can defeat me go ahead—I am ready for retirement anyway.

Incidentally, I found in my travels abroad that ex-patriate Americans don't usually vote and seldom pay taxes in the United States.

Lots of luck.

I have just received, Mr. Speaker, the latest piece of literature driving for free trade from a Japanese-financed organization here in Washington, D.C. It deals with so-called $2 billion Japanese agricultural products imports to the United States. Mr. Speaker, are we so naive to believe that this Nation can survive as an exporter of subsidized agricultural products? Why do we not recognize that the only reason that we can sell agricultural exports is because they are subsidized. Every pound of wheat and every pound of cotton is partially paid for out of the taxes charged to the American people.

Export-oriented subsidies only widen the gap between the U.S. production costs and foreign imports.

The President and diehard, mistaken free traders will finally have to come to the inevitable conclusion that the United States cannot compete as a free enterprise economy in world trade with modern international cost inequities.

Fearful of the truth, the proposal to subsidize U.S. export industries creates another step in the direction of industrial oblivion.

Subsidies cost money, money comes from taxes, taxes come from wages and incomes and profits. The more subsidies, the higher the taxes; the higher the costs of production, the less we can sell in our own markets in competition with cheap imports; the more unemployment, the higher the taxes to pay for relief and the more industries will have to be subsidized. Finally, the more and more we lie to ourselves about the import crisis, the worse it will get.

No nation can have subsidized production of competitive products without import restrictions for these products. The history of subsidized sugar, wheat, cotton and other farm products proves this point and shows the fallacy of competitive equality through subsidy alone.

Every farm subsidized product enjoys import restrictions up to and including virtual embargoes. We cannot meet world prices without subsidy unless we put barriers against imports. The cotton story is a graphic example. We subsidize cotton to sell in the world market at worldwide prices arrived at by international agreements which operate in a form of a selling price cartel.

However, when we subsidize exports, we put a higher burden on our own textile manufacturers who must pay a domestic price much higher than their world price competitors. To relieve the pressure on our manufacturers and to try to stem the unemployment in the textile industry, we pass legislation giving our textile manufacturers an allowance on each bale of cotton equal to the subsidy paid the farmer for world cotton. This means higher taxes on American wages, incomes, and manufacturers' profits to pay the subsidies.

Higher taxes increase the cost of living, which in turn trigger higher wages and higher prices for U.S. goods, again widening the gap between imports and exports.

The history of textiles ought to convince Congress, the administration and above all, the American people that it is like a dog chasing its tail. It runs in a circle and if it catches its tail and tries to hold on to it, it has to run in a permanent circle. If it lets go, it has lost the race to catch up. Chasing foreign trade is just as fruitless.

The unemployment in textiles has been caused by even greater imports, despite international cotton agreements. Subsidies to farmers and manufacturers will be an even greater source of unemployment, many of our textile mills are making more agreements to have textiles produced in Japan, Hong Kong, Taiwan and other countries for sale under the U.S. trade names here in the U.S. markets.

With the wage levels paid in the United States, there is no excuse for U.S. consumers demanding cheaper foreign goods which contribute nothing; instead they take from every American citizen and community funds needed for our own welfare and sound economy.

The 10-percent surcharge was in reality a horrible example of Government doubletalk. It was only a stalking horse to get foreign exporting nations to help us save our floundering dollar. In fact, the import duty on foreign cars dropped from 3½ to 3 percent after the surcharge fiasco.

Anybody can raise millions of dollars for campaigns from foreign exporters—they are the persons who have the cash for the barrelhead.

Time does not allow me to cover the whole field of trade problems. When I think over the years of the exploitation of the American people by the Congress, which must take the full blame, for the benefit of foreign countries I cannot help but worry about the future of our country.

The President is leaving tomorrow for a trip to China. Already the promise has been made that we will enter into agreements with China and will call upon the American people to open our, already ravished, consumer market to Chinese products; and, with the aid of American dollars and know-how we will build the Chinese industries. With their labor cost they will not only destroy more of the American market for us, but this will also create serious conditions in the countries that export to the United States, who have a higher wage standard and production cost than the Chinese. If this was the end of the exploitation of the American economy we could probably survive if we lived another 100 years, but think of the many countries around the world, such as Asia and Africa, that we will have to build up after we are through with the Chinese.

Trade domestically and internationally is a commercial venture. Its only reason for being is profit. The inexact science of diplomacy blended with the exact science of commercial trade can only result in chaos and destruction of our way of life.

For the record, Mr. Speaker, allow me to now present to the House the figures from the Department of Commerce, from 1960–1971, of our so-called trade balance and balance of payments.

	Trade balance on census basis	Balance of payments
1960	$4,579,000,000	$4,906,000,000
1961	5,467,000,000	5,588,000,000
1962	4,533,000,000	4,561,000,000
1963	5,262,000,000	5,241,000,000
1964	7,082,000,000	6,831,000,000
1965	5,222,000,000	4,942,000,000
1966	3,872,000,000	3,927,000,000
1967	4,141,000,000	3,859,000,000
1968	837,000,000	624,000,000
1969	1,289,000,000	660,000,000
1970	2,699,000,000	2,110,000,000
1971	[1] 2,047,000,000	[1] 2,906,000,000
1971 [2]		

[1] Deficit.
[2] Only deficit figure.

And, now let me just read to you the figures I gave to the Congress for 1960–63, which are somewhat lower than the figures contained in a recent book entitled, "America, Inc." I said the deficit for 1960–62 was approximately $7 billion, and the author of the book says that from 1960–63 the deficit in trade and the balance of payments was $10,600,000,000. I have been told, not more than 2 months ago, by the President's spokesman, Mr. Peterson, that at that point we were still in the black and that we were selling far more than what we were buying. In addition to that, he said that more jobs were created by exports coming into the United States than we lost domestically. That was a few weeks before the President made a liar out of Mr. Peterson and announced his great so-called surcharge on imports because we were in a deficit trade position.

The figures from the Department of Commerce are false and I have told the Congress for 11 years that they were false. The figures are a deliberate lie and if anyone in America would keep their business books in the same way the Department of Commerce does they would be put in jail.

Mr. Speaker, if we were, indeed, in a favorable trade balance for the last 10 years—prior to 1971—why do we owe foreign nations $63 billion as of the middle of this past January? Of the $63 billion $60 billion is collectable on demand. Foreign countries owe us $27 billion and not 1 cent is collectable on demand, or can it be used as an offset against our own trade balance. That is

why, Mr. Speaker, for the first time in my life I voted against authorizations for foreign aid, foreign development, and import-export legislation.

Somehow, or another, I am convinced that there must be a secret alcove somewhere where somebody sits and draws plans for the demise of our democracy, because no one or no one group could make the mistakes we are making without a blueprint.

I hope you will allow me, Mr. Speaker, to expand upon this import subject in the weeks to come.

Mr. CARNEY. Mr. Speaker, once again concerned Members of Congress have come together to discuss the problem of foreign imports. I share the concern of my colleagues over the excessive amounts of foreign-produced steel which has been allowed to come into this country.

For far too long the pleas and exhortations of Members of Congress for reasonable protection of the American steel industry have been ignored by the Nixon Administration. American steel companies and steelworkers have waited in vain for some indication that this administration is aware of the grave problems confronting their industry. Instead, the administration's response to the growing crisis in the domestic steel industry has been the same as its response to many of our other pressing problems; namely, benign neglect.

Regrettably, the Nixon administration seems more concerned about the feelings of the Japanese and Europeans than it does about the feelings of American workers who have lost their jobs and American steel companies that have gone bankrupt because of the flood of foreign imports.

We have heard a great deal of scare talk recently about isolationism, and a trade war. We have constantly been reminded of the need to maintain free trade with other nations. I am as in favor of free trade with other nations as anyone. But, I am vehemently opposed to the kind of free trade that opens U.S. markets to foreign steel producers but excludes American steel producers from foregin markets. Free trade must be a two-way street.

To add insult to injury, our Government has all too frequently bypassed American steel producers to buy foreign-produced steel. The American people will not tolerate Government policies which favor foreign companies and foreign workers over American companies and American workers.

The Nixon administration continues to place its hopes in voluntary limitation agreements despite the fact that past voluntary agreements have been deliberately and systematically violated. American companies, particularly those involved in specialty steel production, have suffered the most from these violations.

Mr. Speaker, it is clear that the voluntary agreements have been ineffective. Congress must act now to impose steel import quotas by law before it is too late. If we fail to act, we may soon witness the destruction of the domestic steel industry. America cannot afford to let this happen.

Mr. BOLAND. Mr. Speaker, I want to join my colleagues in expressing alarm about the torrent of foreign imports now entering the United States. I have spoken here many times—as you well know, Mr. Speaker—about the threat this poses to the American working man and woman. The import rate, already dizzyingly high, grows still higher week by week—jeopardizing scores of U.S. industries and millions of jobs. Foreign products ranging all the way from steel to mink-skins, from ceramics to shoes, take up a larger share of our markets each year.

What is cruelly ironic about this trend is that some sections of American industry are willingly taking part in it, shifting operations abroad to take advantage of the cheap labor markets and inviting tax advantages there.

Plants throughout the United States are closing down.

Jobs are vanishing.

The unemployment rate in January—the most recent month for which the Labor Department has figures—was a disquieting 6 percent nationwide. The rate has climbed to 15 percent, even 20 percent, in those sections of the country with the most threadbare economies. Fully 8.2 percent of the work force in the Springfield-Chicopee-Holyoke region, largely within my congressional district, has been idled.

Our remarks today will help dramatize the workingman's plight, Mr. Speaker, but talk is not enough.

What we need is major new legislation—legislation that will restrict imports and discourage American industries from relocating abroad.

I intend to continue exhausting every means available to me in an effort to enact such legislation.

The livelihood of this country's workers may hinge on it.

GENERAL LEAVE

Mr. DENHOLM. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks and include extraneous matter on the subject of the special order today of the gentleman from Pennsylvania (Mr. DENT).

The SPEAKER pro tempore (Mr. VANIK). Without objection, it is so ordered.

There was no objection.

THE SOCIAL SECURITY "PASS THROUGH"

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. FRASER) is recognized for 5 minutes.

Mr. FRASER. Mr. Speaker, on July 1, 27 million Americans will receive a 5-percent increase in social security benefits if title I of H.R. 1 is enacted into law. For a special group of recipients, however, this increase will be purely illusory.

Two and a half million elderly, blind, and disabled recipients who also receive public assistance are likely to find that their welfare grants have been cut back dollar for dollar to compensate for the rise in their social security benefits.

In order to protect the 5-percent increase for this group of beneficiaries, 65 House Members are today introducing legislation to prevent States from wiping away the social security increase through cuts in public assistance grants. Our bill requires States to guarantee these people at least $4 a month in added income, or roughly the minimum monthly OASDHI increase, when title I of H.R. 1 takes effect. Similar legislation is being introduced in the other body by Senator RIBICOFF.

States could pass on the 5 percent in added OASDHI benefits under our bill either by raising assistance payments $4 a month, or by disregarding an equivalent amount when determining the monthly needs standard for public assistance recipients.

The following chart shows the number of old age assistance recipients in each State affected by this legislation. A similar State-by-State breakdown is not available for the blind and the disabled:

TABLE 1.—*Persons aged 65 or over receiving both old age assistance payments and social security—OASHDI—cash benefits, February 1971*

(Prepared by Social and Rehabilitation Service, U.S. Department of Health, Education, and Welfare)

Alabama	74,300
Alaska	1,000
Arizona	6,900
Arkansas	36,000
California	229,000
Colorado	28,200
Connecticut	4,800
Delaware	1,800
District of Columbia	1,800
Florida	37,700
Georgia	48,600
Hawaii	1,600
Idaho	2,200
Illinois	17,000
Indiana	11,200
Iowa	14,000
Kansas	6,900
Kentucky	37,300
Louisiana	74,100
Maine	7,900
Maryland	4,300
Massachusetts	38,300
Michigan	23,900
Minnesota	12,500
Mississippi	46,100
Missouri	64,300
Montana	2,100
Nebraska	4,600
Nevada	2,400
New Hampshire	3,500
New Jersey	11,600
New Mexico	4,200
New York	68,600
North Carolina	16,200
North Dakota	2,300
Ohio	30,800
Oklahoma	40,500
Oregon	5,000
Pennsylvania	29,200
Puerto Rico	260
Rhode Island	3,200
South Carolina	5,700
South Dakota	2,300
Tennessee	27,400
Texas	142,000
Utah	1,400
Vermont	3,300
Virgin Islands	17
Virginia	6,600
Washington	14,700
West Virginia	4,900
Wisconsin	11,200
Wyoming	1,100
Total	1,277,000

A similar $4 "pass through" was added to the 15-percent social security increase approved by Congress in 1969 as part of Public Law 91–172. However, the subsequent 10-percent increase voted in 1971, Public Law 92–5, did not contain the "pass through" requirement. As a result, only 13 States acted on their own in 1971 to make sure that OASDHI recipients receiving public assistance benefited from the 10-percent increase. In the 37 other States most participants in both programs found that their public assistance grants were cut to compensate for the higher OASDHI benefits provided in Public Law 92–5.

Few States again this year are likely to increase public assistance grants on their own. Thus, the $4 a month "pass through" will be the only increased income available in 1972 to millions of elderly, blind, and disabled people who are already facing severe financial hardships.

A list of the cosponsors and a copy of the bill follow:

LIST OF COSPONSORS

Donald M. Fraser, Jonathan B. Bingham, Charles B. Rangel, Robert O. Tiernan, Edward A. Garmatz, John R. Rarick, Julia Butler Hansen, Lester L. Wolff, Michael Harrington, Thomas M. Rees, William J. Green, Glenn M. Anderson, Bertram L. Podell, Melvin Price, Parren J. Mitchell, and C. W. Bill Young.

Fred Schwengel, Robert L. Leggett, William S. Moorhead, Henry Helstoski, John G. Dow, John M. Murphy, F. Bradford Morse, Don Edwards, John B. Anderson, Lloyd Meeds, John C. Culver, John Conyers, Jr., James J. Howard, Jerome R. Waldie, George P. Miller, Seymour Halpern, John Dowdy, Edward P. Boland, Fernand J. St Germain, Abner J. Mikva, James H. Scheuer, Robert F. Drinan, John E. Moss, Nick Begich, and Ray J. Madden.

Cornelius E. Gallagher, Edwin B. Forsythe, James G. O'Hara, George E. Danielson, John F. Seiberling, Bob Bergland, Herman Badillo, Alvin E. O'Konski, Floyd V. Hicks, Louis Stokes, Lucien N. Nedzi, John Melcher, Robert H. Mollohan, Henry S. Reuss, Benjamin Rosenthal, Frank Thompson, Jr., Ronald V. Dellums, Edward I. Koch, Donald W. Riegle, William R. Roy, Romano L. Mazzoli, Peter W. Rodino, Jr., Bella S. Abzug, and Paul S. Sarbanes.

H.R. 13213

A bill to require that an additional $4 per month (reflecting post-1970 across-the-board increases in social security and railroad retirement benefits) be passed along to the public assistance recipients, either by disregarding such amount in determining their need or otherwise

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1007 of the Social Security Amendments of 1969 is amended—

(1) by striking out "March 1970" where it first appears and inserting in lieu thereof "December 1971";

(2) by striking out "as in effect for March 1970" in paragraph (1) and inserting in lieu thereof "as in effect for December 1971 (after the application of this section as in effect in December 1971)";

(3) by striking out "in March 1970 without regard to the other provisions of this title plus $4" in paragraph (1)(A) and inserting in lieu thereof "for such month without regard to the benefit increase provided by section 201 of the Act of March 17, 1971 (Public Law 92–5), plus $4";

(4) by striking out "in March 1970 under the provisions of this title" in paragraph (1)(B) and inserting in lieu thereof "for such month, taking such benefit increase into account";

(5) by striking out "as in effect for March 1970" in paragraph (2) and inserting in lieu thereof "as in effect for December 1971 (after the application of this section as in effect for December 1971)";

(6) by striking out "in March 1970" and all that follows in paragraph (2)(A) and inserting in lieu thereof "for such month without regard to the annuity and pension increases provided by the Act of July 2, 1971 (Public Law 92–46), plus $4, or"; and

(7) by striking out "in March 1970, taking into account the provisions of such Act (if any)" in paragraph (2)(B) and inserting in lieu thereof "for such month, taking such annuity and pension increases into account".

SEC. 2. The amendments made by the first section of this Act shall apply only with respect to amounts payable (as said, benefits, annuities, or pensions) for months after June 1972.

LONG ISLAND RESTAURANT AND CATERERS ASSOCIATION ACT TO CURB HEROIN IMPORTATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ADDABBO) is recognized for 10 minutes.

Mr. ADDABBO. Mr. Speaker, the problem of drug addiction has caused great concern among all Americans and there is mounting grassroots support for increased national efforts to control heroin at its source. In recent months the Congress has shown indications of broad based support for action to cut off foreign assistance to any nation which does not cooperate with the United States in curbing heroin importation.

I bring to the attention of my colleagues a most interesting and sincere effort on the part of the Long Island Restaurant and Caterers Association to boycott the sale of all imported French wines, liquors, and brandies until the French Government indicates its willingness to stop the illegal activities of French processors and exporters of heroin.

The resolution adopted by the Long Island Restaurant and Caterers Association is placed in the RECORD at this point for the information of my colleagues:

PROCLAMATION

Whereas: The Long Island Restaurant & Catering Association, representing 120 of the outstanding restaurants and caterers on Long Island and in cooperation with and appeal to 30,000 restaurants in the State of New York and,

Whereas: it is necessary to take drastic steps to protect our youth from the use of heroin, the most damaging and insidious of all drugs and

Whereas: the main source of supply of the world heroin cache is imported from Turkey and processed in Marsailles, France and then illegally distributed throughout the world, and

Whereas: this insidious plague of moral and physical destruction is eventually sold at enormous profits by criminal elements to our youth in the United States, and

Whereas: the illegal profits from the sale of heroin is used by organized crime to further their inroads into the very foundation of the American way of life, and

Whereas: many appeals to the French Government to seriously crack down on the importers, processors and exporters of heroin for foreign consumption have gone unanswered and

Whereas: it is necessary, for the future of our youth, that the restaurant industry take the initial step, even though it may mean financial loss of income, to impress the French Government that we will take a strong stand against their apathy in dealing with this problem,

Be it therefore resolved: That the Long Island Restaurant and Caterers Association recommends to its members, to members of the State Restaurant Association of New York, and to the National Restaurant Association, and to the General Public of the United States, that in order to make same effective, the sale of all imported French wines, liquors and brandies, be boycotted and other imported and domestic wines be suggested in all our restaurants, until evidence of positive action by the French Government is shown to curtail the illegal activities of French heroin processors and exporters becomes evident to the American people.

FRANK ANTUN,
Chairman of the Board.
WARREN R. SPELLMAN,
President.

It is expected that the general public will give this boycott its support because of the seriousness of the heroin drug traffic in this country, and all the complications as far as the criminal activity which develops. It is known that approximately 50 to 60 tons of heroin are smuggled into this country annually.

One ton of heroin has a street value of $350,000,000.

These tremendous amounts of money, withdrawn from the economy by these criminal activities, has to have an adverse effect on the economic structure of our country, not taking into consideration the impact made on the youth of America, the infiltration into legitimate business, corruption of public officials, and providing a bankroll for other activities.

We feel if we can reduce the importation and sale of heroin by even 1 ton, we have removed from the criminal market $350 million of income, and possibly reduce much of the other criminal activities generated in this manner.

We hope we can see positive action by the French Government in the very near future, so that this boycott could be kept to a minimum. However, should no action be taken, we are prepared to carry on this boycott indefinitely, possibly expanding it to include other products currently imported from France.

DRAMATIC INCREASES IN DEFENSE SPENDING IN THE OFFING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. ASPIN) is recognized for 10 minutes.

Mr. ASPIN. Mr. Speaker, Secretary of Defense Laird and the Chairman of the Joint Chiefs of Staff, Admiral Moore, have presented their annual Posture Statements to the House Armed Services Committee. Their posture statements and the President's fiscal 1973 budget call for the dramatic increase in defense spending totaling $6.3 billion.

The actual amount of spending has caused a great deal of confusion among the American people. Actual spending for fiscal 1973 will increase $700 million compared to fiscal year 1972 spending totaling $76.5 billion. The Congress in the budget is being asked to provide total budgetary authority for $83.3 billion. Claiming the defense spending is only increasing by $700 million, I believe is a cheap deception of the American people. The facts are the President is asking Congress to commit the Nation to a $6.3 billion increase, spread over the next several years. This confusion and double talk only discredits our mammoth defense establishment.

As my colleagues know, during the last session of Congress I offered amendments to place a ceiling both on defense authorization and defense appropriation. Such a ceiling, I believe, is still needed because our defense budget is full of unneeded and costly programs.

This year's budget includes $299 million in long lead items for a new nuclear aircraft carrier. The carrier will eventually cost approximately $1 billion. It is my contention that the aircraft is of limited military value in the nuclear age. The Navy readily concedes that the carrier is useless in the event of an all-out nuclear war. Many knowledgeable strategists assert, and I believe quite correctly, that the aircraft carrier would be extremely vulnerable in case of an all-out conventional war particularly with the Soviet Union. No one questions that an unchallenged aircraft carrier operating offshore can be extremely useful in the event of limited war. It is also widely accepted that the aircraft carrier serves the function of displaying presence in times of crisis around the world. The limited capabilities of a nuclear aircraft carrier in the modern age however do not justify the expenditure of $1 billion.

The United States maintains an arsenal of 1,054 ICBM's and 656 missiles on our Polaris submarines. This nuclear force, I believe, constitutes the realistic deterence. Yet, the Defense Department insists on going ahead with research and development on a new bomber which I believe is unwarranted. The new bomber—B–1—would be of limited value in a nuclear exchange, and it is my contention that the expenditure of $445 million is not justified.

AWACS is another major component of the Defense budget that I believe is unjustified. This early warning system would be useless in the event of a nuclear attack, but this House has asked to provide $470 million for continued research and development and the acquisition of a limited number of prototypes.

Not only does this defense budget contain a number of unneeded programs, but a number of necessary programs that simply cost too much. Our reliable Phantom—F–4—jets cost approximately $4 million apiece, but the new F–14 will probably cost $20 million for one airplane once the lengthy renegotiation with Grumman Aircraft is completed. It will cost the United States approximately $30 billion to replace the 1,500 Phantom jet aircraft that we now have in operation. It appears that the Pentagon is attempting to force the American people to choose between bankrupting the Treasury to pay for defense or unilaterally disarming. The American people cannot accept that choice. The only solution is to cut out the waste now. These programs that are needed should be eliminated. Every effort should be made to cut costs dramatically on those necessary programs whose price tags have skyrocketed.

After studying public statements by some of the distinguished colleagues in the other body—Mr. STENNIS and Mr. GOLDWATER—I am hopeful that the Congress will make some cuts in this mammoth new defense budget. Unless cuts in the neighborhood of $6 to $7 billion are made, I am sure that the defense budget will still be too large. Waste and mismanagement on the part of the Department of Defense are well known by the American people. The latest Gallup poll indicates that 50 percent of the American people think we spend too much on defense. We in the Congress have a responsibility to scrutinize each and every one of these programs and to make an extra effort this year to assure that the defense budget is as lean as possible.

LOWER FOOD PRICES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. COTTER) is recognized for 10 minutes.

Mr. COTTER. Mr. Speaker, just last week, I informed my colleagues of my efforts to lower food prices. Simultaneously, the Department of Agriculture announced that food prices would increase at least 4 percent. I wrote to the President and the Cost of Living Council, which oversees wage-price machinery, urging action to lower food prices.

I am gratified by the response of the average working men and women to my efforts. Below are samples of the responses that I have received. They indicate that the administration must act decisively to lower food prices.

FEBRUARY 10, 1972.

DEAR REPRESENTATIVE COTTER: Just read this morning that you want an investigation of food costs. It is high time someone with authority does this. This food price mess is ridiculous and getting more so fast.

My husband's wages are set, yet through the ineffectual "Price Commission" we can only buy eggs, cheese (on sale), and mostly hamburgers (mostly fat) and at an intolerable price. Steak prices are too high even on sale (round, that is).

I urge you to obtain a copy of the Feb. 10 "The Machinist," and read Sidney Margolius' column. It should be read by everyone and made a matter of public record.

I must commend you for your stand. I use red ink today because Nixon has us all in the red—we medium income and tax weary struggling Americans.

Very truly yours,

———— ————.

BELVEDERE, ILL.

PLEASANT VALLEY, CONN.,
February 12, 1972.

DEAR CONGRESSMAN COTTER: When ny husband & I are not on welfare nor receiving food stamps we do consider ourselves low income tax payers. I, therefore, have been placd on a strict food budget which demands limited spending in this area.

I have been ardently watching reports in the paper on your attempts to investigate the drastic rise in food prices. I must say I applaud your efforts and encourage your every effort to help the consumer afford these necessities of life.

It seems to me that people are taken in by enough gimmicks such as food coupons, stamps and bargains that a full investigation is warranted.

In conclusion I wish to say that I support you 100% and hope that you continue in every way to assist other families with the same complaint.

Sincerely yours,

———— ————.

SOUTHINGTON, CONN.,
February 13, 1972.

DEAR CONGRESSMAN COTTER: When my husmuch in support of your proposal to investigate food price increases.

It is apparent that the grocery chains are not about to do their share of sacrificing for the national interest even though strict controls have been applied to wage earners.

As an example over the past two weeks at Shop Rite Stores the following changes have occurred:

Orange Juice Homogenized ½ gal. .80–.75; milk, .53–.49; butter, .87–.85.

Produce prices are also very high.

Other prices have increased proportionately. Your interest in these increases is most appreciated.

Truly yours,

———— ————.

BRISTOL, CONN.,
February 11, 1972.

DEAR SIR: I see in the Hartford Courant this morning that you are demanding an investigation of food prices in this state.

I had an experience yesterday. I sent my husband to Motts Chain Store to get me 4 small cans of mushrooms (2 oz. each) which I had purchased the week before for 2 for 41¢. Yesterday they were 2 for 57¢. I intend to return them and get them elsewhere, or at that price do without.

Honey bought for 79¢ 2 wks. ago was marked on the top with 2 prices 83¢–85¢. Of course they charged 85¢.

I do hope you can do something for us—we are elderly people—retired and it seems it costs us more to live all the time. Thank you.

Sincerely,

———— ————.

CHAPLIN, CONN.,
February 10, 1792.

DEAR SIR: I read in our paper about you trying to see about prices in our stores. I shop in 3 stores, and I find that all prices aren't the same. Like coffee—1st store $1.79, 2nd store $1.59, 3rd store $1.85—all Nescafe coffee.

This is not right to sell like this. Hope you can help us poor people in Conn. Thanking you so much for looking out for our welfare. Hope you will have luck on this problem. Thank you.

———— ————.

BRISTOL, CONN.,
February 10, 1972.

REPRESENTATIVE WILLIAM R. COTTER: I read your article in today's Hartford Courant and I too am concerned with the high & Increased prices on Food and also agree that the 'Cost of Living Council' conduct an investigation of food prices in the state and I do strongly want the administration to do something about this. Please consider my vote towards an investigation! I thank you.

———— ————.

TEXAS CONSUMER ASSOCIATION,
Austin, Tex., February 10, 1972.

Hon. WILLIAM COTTER,
Member of Congress, Cannon House Office Building, Washington, D.C.

DEAR MR. COTTER: I was pleased to note your demand for a full-scale investigation of food costs by the Cost of Living Council, and wish to add my endorsement to your statement as described in the news.

The continual rise in the price of food has prompted Texas Consumer Association to begin a state-wide price survey and the first one is in progress now, and our first "grocery list" is enclosed for your inspection.

In addition to steadily rising prices, we note such wide-spread price differential between one store and another, and between one city and another as to make pricing practices suspect. For example, 30¢ difference in regular prices of the same size jar of instant coffee, 30¢ difference in a six-pack of dog food, and substantial differences in prices of canned food, frozen dinners, and baby food. Six cans of liquid baby formula may vary as much as a dollar or more between stores. These are items that remain relatively steady at one store, but vary widely from one store to another, and from city to city.

Fresh produce varies widely and frequently, of course, and is sometimes priced beyond reason, even for a longer lasting produce item like potatoes and sweet potatoes.

It doesn't take much investigation to learn that the biggest price of food is not the farmers price, but to the commercial food industry—the bakers, canners, cereal manufacturers, etc. The wheat farmer, for example, gets no more for the wheat in a loaf of bread than he did twenty or thirty years ago when bread was 15¢ per loaf, so there is no reason for bread to be exempt from price controls on the ground that farm prices vary.

Bread manufacturers, according to a local grocer friend, anticipated a possible price freeze, however, and raised their prices a year or so before the controls, which I understand did not affect them. The same grocer pointed out how bread makers had frozen their price "high" by adding a pre-printed price to their loaf, and had cut down the grocer's share of the revenue through changes in exchange of bread and arrangements for providing bread racks for stores, etc. And, although food prices in my home town of Center, Texas are generally higher than in Shreveport, Louisiana or most neighboring Texas cities, certain baked items manufactured in Shreveport cost a nickel less in Center than they do in Shreveport where they are made. Can you figure that one out when transportation costs are involved to Center?

Milk prices are out of reason, and I do not believe this reflects prices at the dairy farm either. The biggest part of the price of milk goes to the commercial milk companies, and is sustained at continually rising prices by U.S.D.A. practices. For example: milk in the school lunch program is bought by the school from milk companies at regular retail prices, of 10–15 cents per carton, then reimbursed by the federal government for all the price above 3 cents. This is probably done under the guise of "helping the dairy farmer" but its an outright subsidy to the commercial milk industry, and the farmer probably gets little benefit, while the tax payers money is used to shove retail milk prices upward! This warrants direct investigation by congress as we'l as the price commission.

I think USDA policies are aimed strictly toward helping the commercial food industry without regard to either the farmer or the consumer, and the "price of food" items used to sometimes show "food prices declined 4%" are unrealistic and not typical of an average grocery list, even when confined to strictly food items. People use more frozen and canned food, mixes, coffee, etc., than reflected in USDA price quotes which seem to assume that we all still bake our own bread, cook fresh vegetables, eat salad without dressing, and choose meat wisely for best economy.

But for all practical purposes, when we're considering "grocery prices" which is more realistic than "food prices," we need to consider other indispensable items usually bought in grocery stores such as toilet tissue, laundry detergent, bath soap, etc., since these may vary from store-to-store also in the same store where the housewife shops for food.

To illustrate the point above about the USDA, within an hour or two after UPI moved your story about food prices on the wire, another story moved quoting Secretary of Agriculture Earl Butz, saying he "rejected suggestions that food costs should be clamped under President Nixon's anti-inflation program" and quoting USDA economists as saying "The share of the average consumer's pay check spent on food this year will drop to a record low of under 16 percent."

This proves, in my opinion, that USDA is trying to cover up price increases rather than hold them down.

Let's look at this "average consumer's pay check" statement: Salaries are considerably higher in Houston, Texas than they are in Center, Texas where I live, but food prices are much higher in Center than in Houston, so that statement is rather meaningless.

This "average pay check" is also meaningless in low income areas, and to people on welfare, on social security, on private retirement or fixed salaries.

I believe Congress should take a close look at the USDA, and should also take another look at the exemptions for the food industry from present anti-trust laws.

Although "transportation costs" are often used to excuse high food prices, I live within a mile of a feed mill, a hatchery, broiler poultry houses, egg laying houses, and one of the largest poultry plants in the United States and poultry prices are as high here as they are anywhere I know of.

Your call for food price investigation represents the sentiments of the entire nation.

Yours truly,

———— ————.

MIDDLEBURY, CONN.,
February 12, 1972.

Representative COTTER,
State Capitol,
Hartford, Conn.

DEAR MR. COTTER: This morning I did my grocery shopping and I also listened to the radio. I heard that you are more than interested in overhauling food prices. So am I!

Each time I go to any of the markets the prices have inched upward another few cents. It is becoming increasingly difficult to keep a balanced budget and feed the family adequately.

This is a great country and we should be able to afford the everyday food items which are so abundantly available to us. I feel the luxuries can wait but the meat, vegetables, and fruit should be within our reach.

A nation is only as great as its people and people are only as great as their health. To be healthy and mentally alert we have to be well fed. By prices being so ever increasingly higher we are cutting corners here and there in food items and as a result we are not as well nourished as we could be.

Let prices go up on television, flashy cars, tape recorders, etc. but for goodness sake let's draw the line with food prices. What can the average housewife do to help? I have reported food price violations during the freeze but somehow there seems to be an explanation for the price hike or no reply at all.

We can do without new dresses and the like but we need food. I am not extravagant but there are things that we cannot afford to buy that should be within our food budget reach.

Fish used to be something that we could buy to help cut down on the meat bill and now it is sky high.

Where can we start? What can we do? I have glaucoma and cannot use my eyes for more than an hour a day but I can talk to people, certainly not as a group, but individually at least.

How can we gain enough notice or gain enough strength as mere housewives to stop or even roll back this high price outrage?

How can we support you? Tell us how we can help. Please.

Just an average American housewife who is very upset over rising food prices in a land of plenty which is forcing us to be eating our meals in a land of longing.

———— ————.

Representative COTTER: You are to be congratulated on your efforts to investigate "rising" soaring food prices. As an unemployed taxpayer the 30%-40% increase of the last 3 weeks by the larger so-called Discount Supermarkets, constitutes gouging and a willful violation of the law. The Stop & Shop Markets and Motts Supermarkets, I find, along with A&P, Finest and Grand Union Stores are the most flagrant violators, especially chuck steak and roasts, pot oven roasts, "ground beef" almost 50-60% fat, bacon, eggs, steaks, chops and now milk; go get 'em.

DISGUSTED FAMILY MAN.

NEW YORK, N.Y., *February 10, 1972.*

DEAR REPRESENTATIVE COTTER: I am a registered Democrat. Re the article in today's Wall Street Journal about rising food prices will you please do all within your power to investigate the unlawful increase in food prices. The Cost of Living Council is a joke as is the Stabilization Board. Why should the farmers and meat bloc of our country be singled out for such preferred and outrageous incomes at the expense of the middle-income group and those on fixed incomes. Thank you very much for any help you are able to give. You have my support.

———— ————.

FEBRUARY 10, 1971.

DEAR REPRESENTATIVE COTTER: Thank goodness someone is going to attempt to correct the situation of spiraling food costs. One gallon of wesson oil purchased at the First National Store on Blue Hills in Hartford, cost $2.49, 4 months ago. It now costs $2.75 in the same store. Conco's in Bloomfield charges $2.99. We are tired of only being able to afford chicken, hamburg and fish. Good luck in your efforts.

Sincerely,

———— ————.

SEATTLE, WASH.

Seattle, Wash., Safeway, Puget Sound area, have raised bulk bags (10 lb.) of culled bananas from 10 cents to 12 cents to 14 cents or more. Where is the added cost lately? By whimsy only!

REPRESENTATIVE MOORHEAD SAYS RUSSIA READY TO TALK ABOUT REPAYMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. MOORHEAD) is recognized for 3 minutes.

Mr. MOORHEAD. Mr. Speaker, the Department of State today reported to me in my capacity as chairman of the House Foreign Operations and Government Information Subcommittee, a major breakthrough in the improvement of Soviet-American relations. The Soviet Union has agreed after a 12-year sus-

pension in diplomatic talks to reopen the question of a debt settlement with the United States on the lend-lease aid we gave them as allies during and after World War II. The Russians say they are ready to meet in Washington with our Government to discuss this issue, which has been a major impediment to better relations for more than a decade. Deputy Assistant Secretary of State Sidney Weintraub intends to formally notify the subcommittee of this important development at a public hearing at 10 a.m. tomorrow morning and hopefully, will provide other details.

This good news comes after more than a year's effort by our subcommittee to bring about the collection of delinquent international debts owed to the United States by many foreign nations, including the Soviet Union. I feel this move has come about as a direct result of the bipartisan work of our subcommittee and the intense interest of the Congress in this problem. All due credit, of course, must go to our Ambassadors and other diplomatic personnel overseas pressing for collection of delinquent debts owed to our country.

In the case of the Soviet Union, I feel a speedy debt settlement could lead to other new understandings and an improvement in our relations which ultimately will result in a more peaceful world.

ASSESSMENT OF OUR NATION'S DEFENSES

(Mr. ARENDS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ARENDS. Mr. Speaker, this morning, Secretary of Defense Melvin R. Laird presented to the House Committee on Armed Services his annual Defense Department report for the 1973 fiscal year. I commend Secretary Laird for another complete, comprehensive report—each of you has been furnished a copy—I urge you to read it.

In providing the Congress an assessment of our Nation's defenses, Secretary Laird has detailed the goals of the Nixon doctrine and the strategy for peace, presented in meaningful terms the threats to the security of the free world, and described the defense posture required both today and in the future to insure the success of the strategy of realistic deterrence.

The Defense report shows how successful the Vietnamization program has been and the Secretary indicates that "U.S. involvement in the war is coming to an end." I feel it is most significant that he further states "we are now planning for the period beyond Vietnam." In this, he and his staff are utilizing a new approach to planning and assessment methodology in which the three planning tools of net assessment, total force, and long-range planning are being put to work for a generation of peace.

For those who have insisted that Secretary Laird overstated the case with respect to the Soviet threat in his report last year, I would ask them to carefully study that portion of his current report which treats net assessment and the threat. It is indeed sobering and begs complete support of the Secretary's program. He has my unqualified support and I ask each of you to give him yours. The President's goal, a generation of peace, is a lofty one. I want to be able to say that I played a part in its realization.

HANDICAPPED CHILDREN DENIED AN EDUCATION

(Mr. VANIK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. VANIK. Mr. Speaker it has recently come to my attention that an estimated 4¼ million handicapped children of school age are excluded from public schools in America. This shocking figure represents approximately 60 percent of all school-aged handicapped children in the entire United States. State and Federal authorities were able to identify, counsel, and place in educational facilities only 40 percent of the handicapped children under 21 years of age.

These handicapped children are ignored, unidentified, and untreated. Parents seek medical care for their children, and receive none. The alternative is care of such poor quality that the child's problems are frequently improperly diagnosed and disabilities are aggravated.

Parents who seek counseling for these children are placed on long waiting lists. The child seeks an education, and is denied access to a public education or is virtually barred from private schools due to prohibitive tuition rates.

For too long a time we have ignored the parent's plea for special education systems. We have ignored the children medically and educationally. While parents seek medical care for their children, State and local governments lack funds and facilities. Handicapped children of low-income families seek tuition funding, but State and local governments favor the higher income families, often providing funds only as they are matched by the parents.

The handicapped child is excluded from schools because the States are either unable to define and deal with his illness, or care is so shoddy that the problems are multiplied. When the handicapped child is accepted in the classroom he is shunted until be becomes a failure or a dropout. Then he is declared to be untrainable, to spend his life without training, stimulation or care.

Exclusion of handicapped children is illegal in some States, but the States plead lack of funds. At the same time there is no public motivation to develop programs. Statistics concerning State care of the handicapped child are shocking. They range from the California rate of providing service for 54 percent of the handicapped children in the State, to Vermont's rate of approximately 22 percent.

The following statistics concern the numbers of handicapped children served and the numbers not served by the 50 States. It must be kept in mind that the children mentioned in the served column are those who received any sort of care or placement by their States. It does not mention the quality of that care—generally poor—or the extent in terms of school years that those children received.

The following statistics can only serve to remind us that we have failed in the area of care of our handicapped children:

ESTIMATED NUMBER OF HANDICAPPED CHILDREN SERVED AND UNSERVED 1971-72 (AGED 0 TO 21 YEARS)

State	Total served	Total unserved	Grand total
1. Alabama	22,384	88,765	111,149
2. Alaska	1,875	3,175	5,050
3. Arizona	12,678	27,318	40,059
4. Arkansas	12,492	109,173	121,665
5. California	321,765	219,320	541,085
6. Colorado	37,566	38,289	75,855
7. Connecticut	35,544	54,322	89,866
8. Delaware	8,351	7,371	15,722
9. District of Columbia	9,568	12,334	21,907
10. Florida	105,021	34,822	139,843
11. Georgia	65,061	64,803	129,864
12. Hawaii	9,106	10,484	19,590
13. Idaho	8,395	28,166	36,561
14. Illinois	180,877	74,504	255,381
15. Indiana	86,599	58,492	145,091
16. Iowa	36,521	58,210	94,731
17. Kansas	27,713	26,853	54,566
18. Kentucky	24,336	54,050	78,386
19. Louisiana	45,056	77,288	122,344
20. Maine	6,758	23,985	30,743
21. Maryland	66,259	57,380	123,639
22. Massachusetts	63,460	45,152	108,612
23. Michigan	165,018	123,279	288,297
24. Minnesota	70,423	52,242	122,665
25. Mississippi	16,587	99,479	116,066
26. Missouri	65,110	156,468	221,578
27. Montana	5,358	18,242	23,600
28. Nebraska	23,734	69,834	93,568
29. Nevada	6,300	7,340	13,640
30. New Hampshire	6,070	13,304	19,374
31. New Jersey	99,189	131,866	231,055
32. New Mexico	8,655	44,471	53,126
33. New York	221,219	151,592	372,811
34. North Carolina	73,739	98,841	172,580
35. North Dakota	89,470	38,268	47,215
36. Ohio	175,300	160,578	335,898
37. Oklahoma	23,746	120,840	144,586
38. Oregon	26,274	21,770	48,044
39. Pennsylvania	156,830	108,619	265,449
40. Rhode Island	13,475	26,000	39,475
41. South Carolina	38,275	68,230	106,505
42. South Dakota	4,414	13,381	17,795
43. Tennessee	49,173	82,730	131,903
44. Texas	175,622	602,069	777,731
45. Utah	27,079	17,100	44,179
46. Vermont	4,612	16,019	20,631
47. Virginia	44,768	101,980	146,748
48. Washington	64,223	15,071	79,294
49. West Virginia	15,161	65,400	80,561
50. Wisconsin	66,230	89,583	155,813
51. Wyoming	5,665	12,810	18,475

According to figures of the Department of Education, my own State of Ohio is denying special education services to 160,578 handicapped students.

Even though Ohio serves only 50 percent of our impaired children, we still have a much better record than most States. While the State serves 50 percent of the handicapped children overall, individual counties, in some instances, performed worse.

Brown County—serves only 115 children out of a possible 8,264.

Portage County—serves only 825 children out of a possible 3,940.

Trumbull County—serves only 2,167 children out of a possible 16,665.

Every county in Ohio provides classes for the educable mentally retarded, but 44 counties—50 percent—do not have classrooms for the hard of hearing, deaf, crippled, visually handicapped, neurologically handicapped, or emotional disturbed child.

The Ohio Federation for the Council

of Exceptional Children labels the earlier mentioned figure of 160,578 unserved children as conservative. Of these children, 49,711 are the educable mentally retarded. These children, educable in academic, social, and occupational areas will need, generally, moderate supervision throughout their lives. Those 15,860 Ohio children will require a sheltered environment and major supervision throughout their lives. The trainable mentally retarded are not being served by the Department of Education in my State.

The educable mentally retarded child in Ohio is capable of working, utilizing a skill, and paying taxes. Over 32,000 students in Ohio participated in the work study program for the educable mentally retarded. In 1970, they paid an estimated $282,000 in Federal income tax. They paid an estimated $50,303 in State sale taxes. Of the 1,522 graduates of this program in 1969–70, 82 percent or 1,230 are currently employed full time.

Many of these citizens pay taxes and do not receive an education. Although some of the handicapped are working in State programs, paying taxes, and receiving an education, many others are working—out of desperation—in underpaid, menial jobs, paying Federal and State taxes, and receiving no education or upgrading of job skills.

Many of the parents of the mentally retarded and physically handicapped youngsters pay taxes for an education that their children do not receive. The present situation not only limits the growth of the handicapped and denies them their civil rights in the area of education and employment, but also discriminates against the tax paying parents of those handicapped children.

Families with handicapped children gravitate toward the big cities or the special programs unavailable in lesser populated areas. But it is disappointing that the services in cities like Boston fall short of the needs of the people.

Boston is in flagrant violation of the Massachusetts State law in its virtual exclusion of the handicapped children from the public school system. The State law—chapter 71, section 46A—makes four points clear: First, it is the responsibility of the school system to insure the education of the handicapped child; second, the school committee is to determine each year the number of school age children who are handicapped and who live in that district; third, all physically handicapped children must go to school, excepting those unable to attend; and fourth, for those children who are unable to attend school the school system is responsible for teaching them at home.

In general, crippled children in Boston are not allowed to attend school. And, except for isolated instances, they are prevented from attending school altogether. No one seems to know what happens to crippled children in Boston. No person, no agency knows how many crippled children there are, where they are, or what happens to them once they are rejected from the Boston school system. Not only does Boston exclude handicapped children from the public schools, but also does not follow up on the placement or nonplacement of the children. Lack of funds, the attitudes of school administrators, architectural barriers, lack of transportation, inadequate diagnostic and guidance services are all problems that the disabled must face at all levels of education in Boston and other areas of the country.

The Easter Seal Society of Massachusetts reports that the responsibility placed upon the Boston school system is not being carried out. The school system excludes almost all of the crippled children rather than those unable to attend. It fails to provide special classes for those who are in need of them as the law states, and does not annually ascertain the number of handicapped children in the city, but simply lists those brought to its attention.

The Boston school system's abdication of responsibility in this area has created an educational vacuum which no institution or agency is able to fill. A high cost in human suffering is being paid for the failure to provide educational services for these children. The greatest suffering is being borne by the children themselves.

The solution of the exclusion of children in Boston involves more than enforcement of regulations and directives from the department of education in Boston. It involves control of factors involving attendance in the schools including medical and rehabilitation services, transportation, architectural barriers, parental attitudes, and social attitudes.

Boston reflects most cities with inadequate programs for the handicapped child. The apathy of the school systems leaves mentally and physically handicapped children at home, on the streets, or in the wrong school facilities.

The Boston school system has a department of special classes for mentally retarded children. This department, operating on an annual budget of $2 million, has already 3,000 children in special classes. In addition to these 3,000 children, over 1,000 children have been identified as retarded but have not had education provided for them.

Recent information provided by professionals has called into question the function and operation of the department. Experts in the field of mental retardation know that a public school system the size of Boston is expected to have about 1,500 children who need special educational services due to impaired mental abilities. Yet the number identified by the department approaches 4,000, or more than twice the expected number. It appears that a lot of the children included in this 4,000 figure are not retarded at all. Boston has taken children with a lot of different problems and lumped them all together in these special classes. As a result the classes and programs for these children are often ineffective and misdirected.

The problems of handicapped children in most of the States are misdiagnosed. These children are diagnosed as orthopedically handicapped, emotionally disturbed, neurologically impaired, or mentally retarded, and are frequently victims of early deprivation of educational services.

Children, at times, are diagnosed as having a communication problem when they are unable to understand English. This circumstance is particularly prevalent with the children of migrant workers. The child is excluded from schools because he is unable to respond appropriately to psychological tests administered in English. For those children who are excluded from school the first year, there is little hope that their intellectual progress will improve by remaining home; or that non-English-speaking children will better understand the language working in the fields with other non-English-speaking children. Some of these children will never be enrolled in a formal educational program.

The handicapped child in this country constitutes another minority group and as such should be protected against discrimination because of their physical or mental handicaps. I introduced legislation on December 9, 1972, H.R. 12154, to amend the Civil Rights Act of 1964 to specifically include the handicapped. This bill would make it illegal to discriminate against any handicapped individual or to deny him access to federally assisted programs, unless there is a bona fide qualification reasonably necessary to the normal operation of the particular program.

It is my hope that this legislation which has also been introduced in the Senate, will receive early hearings and the support of my colleagues. This endeavor to protect our less fortunate citizens deserves the support of all Americans.

JOHN D. ROCKEFELLER, JR. MEMORIAL PARKWAY

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, I am today introducing for myself and for Mr. HOSMER, Mr. SKUBITZ, Mr. KYL, Mr. DON H. CLAUSEN, Mr. RUPPE, Mr. SEBELIUS, and Mr. CÓRDOVA a bill to authorize the Secretary of the Interior to establish the John D. Rockefeller, Jr. Memorial Parkway, and for other purposes.

This proposal has been made by the Department of the Interior and the National Park Service. The parkway will link the Grand Teton and Yellowstone National Parks—two of our most heavily used parks—by a 6-mile-square corridor consisting of lands and roads already owned by the Federal Government. The Department of Agriculture will transfer approximately 23,700 acres of the Teton National Forest to the Department of the Interior for the purposes of the parkway. The bill also provides for the use of existing roads and highways within the corridor which the Secretary of the Interior will designate as parkway roads.

In connection with this proposal, the Secretary of Agriculture and the U.S. Forest Service is considering gaining wilderness status for those national forest lands remaining between the proposed eastern boundary of the memorial parkway and the present eastern boundary of the existing Teton wilderness.

This 23,000-acre area between the two existing national parks has become the focus of increased recreational use over the last 10 years. The majority of visitors to the two parks travel between the parks—often camping overnight—in the proposed parkway corridor. The National Forest Service has estimated that over 1,500,000 persons traveled through the area in 1970, with over 14,600 total visitor days spent within the corridor. The developed recreation capacity in the area now is for about 1,935 people. Considerable off-road camping occurs in undesignated sites along the parkway. Obviously, unified and controlled management of the lands and roads along the parkway road route is desirable—especially in view of the increased pressures for camping and lodging resulting from limitations on expanded overnight facilities in the two parks. Recreational development of the corridor should relieve that pressure. Unified management should achieve economy of resources.

The only grazing remaining in the corridor is for recreation horse use by outfitters. There is little mineral development within the corridor. The bill provides authority to acquire mineral interests. It is doubtful that the area will ever be considered available for normal timber harvest. The area has been closed to oil and gas development since 1947. Adverse environmental impact of designating the existing area as a parkway will be negligible and are far outweighed by the desirable effects that will result from designating the area as a national parkway. The area will be administered under National Park Service National Recreation Area policies. Based on current estimates, development costs will total $3,092,000, all of which are anticipated to be programed for the first 5 years after establishment.

Designation of the corridor and existing roads as the John D. Rockefeller, Jr. Memorial Parkway would be a fitting tribute to that great conservationist and philanthropist. It will provide a symbolic and very desirable physical connection between the world's first National Park—Yellowstone—and the Grand Teton National Park which Mr. Rockefeller did so much to help create.

The text of H.R. 13201 is as follows:

H.R. 13201

A bill to authorize the Secretary of the Interior to establish the John D. Rockefeller, Jr. Memorial Parkway, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, (a) That for the purpose of commemorating the many significant contributions to the cause of conservation in the United States, which have been made by John D. Rockefeller, Jr., and to provide both a symbolic and desirable physical connection between the World's first national park, Yellowstone, and the Grand Teton National Park, which was made possible through the efforts and generosity of this distinguished citizen, the Secretary of the Interior (hereinafter referred to as the Secretary) is authorized to establish the John D. Rockefeller, Jr., Memorial Parkway (hereinafter referred to as the "Parkway") to consist of those lands and interests in lands, in Teton County, Wyoming, as generally depicted on a drawing entitled "Boundary Map, John D. Rockefeller, Jr., Memorial Parkway, Wyoming", numbered PKY–JDRM–20,000, and dated August 1971, a copy of which shall be on file and available for inspection in the Offices of the National Park Service, Department of the Interior. The Secretary shall establish the Parkway by publication of a notice to that effect in the Federal Register, at such time as he deems advisable. The Secretary may make minor revisions in the boundary of the Parkway from time to time, with the concurrence of the Secretary of Agriculture where National Forest lands are involved, by publication of a revised drawing or other boundary description in the Federal Register.

(b) The Secretary shall also take such action as he may deem necessary and appropriate to designate and identify as "Rockefeller Parkway" the existing and future connecting roadways within the Parkway, and between West Thumb in Yellowstone National Park, and the South Entrance of Grand Teton National Park: *Provided,* That notwithstanding such designation, such roads within the Yellowstone and Grand Teton National Parks shall continue to be managed in accordance with the statutes and policies applicable to these parks.

SEC. 2. Within the boundaries of the Parkway, the Secretary may acquire lands and interests in lands by donation, purchase with donated or appropriated funds, exchange, or transfer from another Federal agency. Lands and interests in lands owned by the State of Wyoming or a political subdivision thereof may be acquired only by donation. Lands under the jurisdiction of another Federal agency shall, upon request of the Secretary, be transferred without consideration to the jurisdiction of the Secretary for the purposes of the Parkway.

SEC. 3. (a) The Secretary shall administer the Parkway as a unit of the National Park System in accordance with the authority contained in the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4), as amended and supplemented.

(b) The lands within the Parkway, subject to valid existing rights, are hereby withdrawn from location, entry and patent under the United States mining laws.

SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

THE ENERGY CRISIS

(Mr. ASPINALL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ASPINALL. Mr. Speaker, Great Britain today faces what may be the greatest threat to its security since World War II. The threat is not enemy bombers, but peacetime chaos caused by widespread power shortages.

Britain's plight illustrates what can happen to any industrialized nation when there is a break in the fuel and energy supply lines. It also illustrates what could happen to the United States if we fail to understand the severity of the energy crisis in our own country.

Only 5 weeks into the strike by coal miners, Britain is experiencing massive dislocations throughout its economy. Heavy industry's use of electricity has been cut in half. Transportation has been slowed. Homes, offices, shops and restaurants are without heat and light. The irreversible disruption to people's lives is incalculable. The Government estimates that before long Britain's entire labor force of some 20 million people could be out of work.

Fortunately, there is a solution to the British crisis: an end to the present labor dispute. But the solution to the energy crisis in the United States is not that simple, because the problem is much deeper and more complex.

In this country we are faced not with a labor strike, but with broader, more fundamental difficulties. As a recent analysis by the Department of Interior points out, "There are serious resource adequacy and supply problems associated with all the primary energy fuels" in the United States.

Shortages of gas are most urgent. In the Nation's capital, the Washington Gas Light Co. is having trouble meeting demand. In Chicago, the People's Gas Light & Coke Co. can meet only 30 percent of demand for new service.

Electricity shortages are commonplace. In New York State, according to the Public Service Commission:

Summer reserves are so low as to be critical in the whole 1970–75 period, and the situation appears to be deteriorating instead of improving.

If we are to fill this developing gap between supply and demand, we will have to rely more and more on foreign sources of supply, particularly the Middle East for oil. But it will be costly. The Organization of Petroleum Exporting Countries already is dictating prices to consumer nations, including the United States, and it would be folly to expect their prices to do anything but increase in the future.

Nuclear energy—especially the fast-breeder reactor—may well be the best hope for the future, but right now it is an unhatched egg as far as this Nation is concerned. And our energy crisis is not going to evaporate while we wait for it to hatch.

If we are to survive the short term and not foreclose solutions for the long term, we need a better understanding of our total fuels and energy situation. We need to understand the complex interrelationships between our various energy sources. We need the best possible projections of what these resources are and what the demands on them are going to be. The House Committee on Interior and Insular Affairs is working on these questions because we need this information not only for the year 2000, but for this year and the next 15 years as well.

And finally, we need to consider the consequences of an inadequate or unstable supply of fuels and energy, and in this connection the British case is most instructive.

Mr. Speaker, today's Washington Post carries the following release:

MILLIONS JOBLESS IN BRITISH POWER CRISIS

LONDON, Feb. 16.—Britain's power famine sent the total of unemployed to more than 2.5 million today and increased the blackout period for homes across the nation.

Electricity boards warned the situation is likely to be still worse by Friday.

Homes already blacked out for nine hours a day were warned to expect an additional three-hour power cutoff. The cuts are for rationing fuel at coal-fired electric power stations, nearly starved of supplies by a six-week coal miners' strike.

Weathermen predicted a coming cold spell to add to the misery.

A government-named inquiry, which heard the miners' case Tuesday, took testimony

from the state-run Coal Board today. It hopes to recommend a pay settlement Friday.

The Trades Union Congress rejected a back-to-work appeal by Prime Minister Edward Heath.

The miners are demanding a raise of $15.50 over their current basic pay of $49.50 a week. The coal board has offered them half this amount.

William Hamilton, vehemently anti-royalist member of Parliament, caused a stir in the House of Commons when he compared the miners' wages with the income of Prince Charles, heir to the throne.

Hamilton said it was indefensible that two miners would have to work 50 years underground to earn "as much as we give this young twerp in a year."

Hamilton added: "If the monarchy is such a uniting force in our society, let this young man who has trained in the air force, and is now training in the navy, to go and spend the next three months in the coal mines."

REBEL TORIES WARNED GOVERNMENT MAY FALL

LONDON, Feb. 16—Prime Minister Heath today dangled the threat of his government's fall and a parliamentary general election over the heads of Conservative Party anti-Common Market rebels, political sources said.

He did so in a bid to whip as many dissident Conservatives as possible into line for a vote Thursday evening on Britain's entry into the six-nation European Economic Community.

The clear implication, the sources said, was that in elections coming in the immediate wake of the present national power crisis, the Conservatives would risk a crushing defeat and the return of the Labor Party to power.

EDITORIAL SUPPORT FOR NATIONAL BLOOD BANK ACT

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, on January 27, 1972, I introduced H.R. 12715, National Blood Bank Act of 1972, to establish a Federal program to encourage the voluntary donation of pure and safe blood, to require licensing and inspection of all blood banks, and to establish a national registry of blood donors.

This proposed legislation has received widespread support from many sources since its introduction. In addition to establishing minimum regulations and licensing requirements for all blood banks an essential element of the bill provides for the creation of a $9 million national program to encourage the voluntary donation of blood. Such a program would reduce our reliance upon paid donors to supplement the available blood supply. The proposed legislation would also create a national registry of blood donors which would enable commercial and volunteer blood banks to effectively prevent the blood of hepatitis carriers from being made available to the public.

The February 14, 1972, edition of the Waterbury Republican contained the following editorial entitled "More Bloodmobile Support" which supports the National Blood Bank Act of 1972 and the increased recruitment of voluntary donors:

MORE BLOODMOBILE SUPPORT

Certainly there should be little need to proclaim the benefits of the Red Cross blood bank system for residents of Connecticut at this time. But for those who continue to doubt, the actions of U.S. Rep. John S. Monagan should make it clear that there is no better porgram for meeting emergency needs of the people.

Monagan has introduced legislation which would regulate all blood banks. His bill is aimed basically at the commercial blood banks which are common in many states. Connecticut uses the all-volunteer program.

Commercial blood banks pay donors for blood. Monagan reported experts estimate that the incidence of serum hepatitis is 10 times greater when blood is obtained from a commercial blood bank than a voluntary one. The reason is that the paid donor is much more likely to lie about his background than a volunteer because of the money paid to him.

Regulation of blood banks should be required. As far as Connecticut is concerned, the best way to insure protection prior to the adoption of federal legislation is to donate sufficient blood so there will be no need to seek blood from commercial sources.

If the danger of infection is one-tenth that of commercial blood bank supplies, how can anyone question the value of the Red Cross voluntary program? It deserves the full support of everyone. It costs nothing, and it saves lives.

TRADE DEFICIT COMES TO LIGHT

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, many of us were not surprised when the $2 billion trade deficit for 1971 was announced. The weak state of our competitive standing in the world of trade had been well concealed over the past decade by the basis on which our official export and import statistics have been presented to the public.

We valued our imports, not on what they actually cost us laid down in our ports, but on their value at the foreign point of shipment. This resulted in an underevaluation in the magnitude of some 10 percent. Second, we include in our exports shipments that do not represent our competitiveness, but our foreign aid and other governmentally assisted exports, such as food for peace. Thus we overvalued our exports by some $2.5 billion.

With 1971 imports at $45 billion the underevaluation was about $4.5 billion. Added to $2.5 billion of exports that did not reflect competitive prowess, the statistics were off by about $7 billion in terms of showing our weak competitive position.

In 1971, we turned up a calendar year deficit, the first time since 1888.

This deficit surfaced even under our current method of recording our imports and exports. The concealment finally failed, but the public has not yet been made aware that the deficit is three times as serious as the publicized deficit would make it appear.

Mr. Speaker, it is imperative that we give early attention to trade legislation. The hope that the deficit will go away as a result of currency realinement represents excessive optimism. Our economy is faced with a unique situation in competition from abroad. Recently Mr. O. R. Strackbein of the Nationwide Committee on Import-Export Policy participated in a seminar at the University of Bridgeport with the Connecticut Development Commission. He presented a paper which throws light on our present weak competitive position and its genesis.

In the belief that what Mr. Strackbein says in his speech is worth our study, I offer it at this point for inclusion in the RECORD:

U.S. FOREIGN TRADE DILEMMA

The export trade posture of the United States has the appearance of a top-heavy leaning tower of Pisa. During the first ten months of 1971 nearly half (45%) of our total Non-Defense exports consisted of "machinery and transport equipment," or $16.20 billion of a ten-month total exports of $35.74 billion.

There is very little public awareness of this heavy concentration of exports. This $16 billion in exports of machinery and transport equipment in ten months was 2½ times as high during the same period as our total agricultural exports, which amounted to $6.29 billion. It was well over twice as high as our total exports *of all other manufactured products.*

The "machinery" category includes both electrical and non-electrical machinery, such as agricultural and construction equipment, electric power apparatus, machine tools, radio and telecommunications equipment, office machinery, including computers, and household electrical appliances.

"Transportation equipment" consists of automobiles and other road vehicles and parts, railroad vehicles and parts, aircraft and parts, and ships and boats.

EXPORT SURPLUS

The surplus in exports of machinery and transportation equipment over imports during the first ten months of 1971 was $4.82 billion. There was an actual deficit, however, in the trade in automobiles and parts, amounting to $1.27 billion; but this was more than balanced by our surplus of $2.58 billion in the exportation of aircraft and parts.

Aside from "machinery and transport equipment" we also enjoyed an export surplus in chemicals. This amounted to $1.89 billion for the Jan.-Oct. period of 1971. The general classification of "chemicals" includes raw materials, semi-manufactures, such as plastics, and finished products such as pharmaceuticals, medicinals and fertilizers.

TRADE DEFICIT

The trade deficit during the ten month period in other Manufactured Goods was $7.76 billion. This was nearly $3 billion greater than our surplus in machinery and transport equipment. If the surplus of $1.89 billion in chemical exports were included, the deficit would be reduced to a little over $1 billion.

The deficit items covered a wide range of manufactured goods. Among them the principal ones were textiles and wearing apparel, showing a deficit of $1.726 billion; iron and steel with a deficit of $1.689 billion; automobiles and parts, one of $1.273 billion; paper, paperboard and manufactures, $351 million, musical instruments $249 million, toys, sporting goods, etc. $213 million; footwear, some $600 million, watches, clocks, etc. about $100 million.

COMPETITIVE REALITIES

The configuration of these surplusages and deficits reflects the competitive realities that face our industries *vis a vis* their foreign counterparts.

The great surge in our exports of machinery in recent years was not accidental, nor did it reflect a permanent competitive advantage. In the past ten years the ratio of our exports to imports of machinery (exclusive of trans-

port equipment) has indeed declined sharply. In 1960 the ratio was 4.7 to 1; in 1965 it had shrunk to 2.4 to 1 and in 1970 it had contracted still further to the point where it exceeded imports by a ratio of only 1.6 to 1. In other words the surplus has been narrowing ominously, not, indeed from a decline in exports, which continued very high, but because of faster rising imports.

This trend is understandable from the very nature of the racing export growth itself. The surge in machinery exports was a natural phenomenon reflecting the interest of our industries in direct foreign investment. The process of outshipment of machinery fed on itself.

A brief backward glance is desirable here. At the outset the Marshall Plan was responsible for the vast improvement of foreign production and technological achievement that occurred in the post war era. The industrial superiority of this country had so amply proved itself during the war years that no salesmanship was needed to persuade other countries to rebuild and equip their bombed-out and worn-out plants with American machinery and apparatus.

The prevailing wage levels in these countries were relics of obsolete economics, both British and continental, where the dependence of mass production on mass consumer purchasing power had not yet been accepted or perhaps even perceived. We on the other hand had passed that milestone years before and legislated it into operative reality after the Great Depression.

After the War's end we invited and guided thousands of foreign productivity teams through our vast factories many of which were wonderlands of humming mechanical creations scarcely touched by human hands. The visitors soon decided that this was something they wanted for themselves. We lent them a generous hand with funds, blue prints and finished products.

SURGE IN FOREIGN PRODUCTIVITY

Before many years the productivity of the newly equipped foreign assembly lines and semi-automated systems rivaled our own. Inevitably that output reached surplus proportions in relation to the still-small purchasing power of their consumers which was still tethered to low wages. The overspill soon reached our shores, with price tags that reflected both the newly-reached, much higher output per man-hour and the lagging wage levels. Our imports rose while our exports of products other than machinery (and chemicals) began to lag. Our industries responded by investing ever more heavily in foreign producing facilities; and this process itself stimulated further our export of machinery and plant equipment, while at the same time shrinking our export markets for other products. This export euphoria induced by lively machinery exports helped to conceal the disappointing performance of our nonmachinery exports, including those of agricultural products. This concealment was helped by the self-deluding practice of our Commerce Department in tabulating our foreign aid and similar governmentally stimulated shipments as exports, as if such shipments reflected our competitive strength, while valuing our imports on their foreign (f.o.b.) value rather than their landed value (c.i.f.). This double deception which concealed our generally weak competitive position justified the further tariff reductions under the so-called Kennedy Round, thus increasing our exposure. So far as private competitive trade is concerned we have been in a deficit position the past six or seven years.

The continuing heavy exports of machinery also contributed to the advancement of technology abroad and therefore to the further outward movement of American private capital. The higher output abroad created surpluses that needed greater export outlets. This hand-over-hand stimulation of machinery exports and foreign productivity and the rising foreign competitive advantage and need for more exports continued until the results finally produced the crisis that was at long last recognized by this country in August 1971.

One of the effects of the combination of our rising foreign investment and the accompanying rise in foreign productivity and lagging foreign wages, was the deterioration of the investment climate in this country. To grasp this cause-and-effect relation it is necessary to probe a little into the make-up of our 20th century competitive position in the world of trade.

THE UNIQUE AMERICAN ECONOMY

A fair balance in imports and exports tends to distribute the benefits and drawbacks quite equally through the economy. However, when the deficit reaches a level of 10% or more, in terms of competitive goods, and if exports are concentrated in a few sectors while imports rake a very broad front with fire in the form of low-cost foreign advantages the effect is very different.

The American economy until very recently was unique in the world. It built itself on principles that were native to this soil and not generally accepted abroad. Among the principles were (1) fair competition and anti-monopoly, thus assuring passage on to consumers of the cost reductions flowing from mass production and technological innovation and development; (2) a consumer purchasing power adequate to sustain the rising volume of goods made possible by mass production; (3) a national free-trade area assuring the basis for a mass market, and (4) wage levels that in reflecting rising productivity provided the necessary effective market demand that cleared the shelves.

The very matrix of the system of production that soon led the world was dedication to production of goods that were nonessential but pleasing, comfortable and ego-lifting to possess and for which the demand was elastic: in other words that would be bought in ever increasing quantity as the consumer price came down. This explains the success of our mass-production system. We have but to reflect on the automobile and $5 per day wage example instituted by Henry Ford, as an earnest fee of growing consumer buying power, to appreciate the formula. There followed a vast array of consumer goods that catered to tens of millions of waiting customers who, armed with good wages, assured a market if the new or revolutionized product met consumer expectations. Radio, television, household appliances of all kinds, recreational, athletic and sporting goods, the low toll telephone, nickel or two-cent metropolitan newspapers, moving pictures, etc., are examples.

Indeed we depend on the innovations and radical cost reductions to employ the oncoming additional workers from population growth and those displaced by the very innovations themselves. This absorption could be largely successful because the new or added market was our own. Usually the new products enjoyed patent protection for a period long enough to develop them and to bring down the cost within reach of the popular pocketbook. If a product was wholly new the addition to employment was net. If it was a substitute that was superior and cheaper it reabsorbed those displaced and soon created additional jobs.

THE BOOMERANG

Today we face an altered situation. The unit-cost advantage enjoyed by other countries opens our market to them immediately if our patent-owners license foreign production or if they themselves produce abroad for this as well as other markets. The investment capital that formerly was forthcoming and indeed eager to venture into developing new products or radically lower-priced existing ones, began hesitating in recent years because of the gloomy prospects. Good examples are found in radio and television receiving sets, recorders, record players, etc.

We have lost the very dynamism in our economy that in one or two generations brought us world industrial leadership, to a development of our own gestation, which is to say to the diffusion of our technology abroad.

A ready illustration of our difficulty may be found in the small automobile. Certainly in the early years of Henry Ford we had the small and low-cost vehicle with which Ford filled the country. The quarrel with the automobile industry in recent years has been its failure to provide a vehicle that could be sold at less than $2,000 to the public, either to one-car owners or to actual or potential multiple car owners.

It represents a misreading of the motivation of American industry to conclude that the automobile companies were indifferent to this great potential market. General Motors has no haughty objection to production of products that sell at only a few hundred dollars to consumers, as note household refrigerators; nor does Ford, as note its marketing of television sets.

It was simply a question of technology, productivity, wage levels and profits. We did not have the productivity per man-hour, in conjunction with prevailing wage levels and profit requirements that made it possible to produce a vehicle that could be sold at less than $2,000. In Europe, especially in West Germany it was possible to do so. After a while it was also possible to do so in Japan. The Volkswagen manufacturers contemplated manufacturing in this country and entered into an option on a plant site, but after studying U.S. production costs decided against the venture.

Were our wages too high? Was our automotive technology stagnating? Had our automobile producers lost enterprise and motivation? None of these questions can be answered in the affirmative. In relation to our technology *our costs were too high compared to the foreign technology and the lower wage levels* to which it had ready access. Had our foreign competitors had a similar advantage in the early days of Henry Ford his enterprise could not have been launched as it was. Our whole unique system of mass-production enterprise could not have prospered had it faced the foreign competitive challenge such as our enterprise faces today.

American manufacturers could easily produce a car today that could be bought for less than $2,000 if they could pay wages as low as those prevailing in Germany; and probably a car to sell for less than $1,500 if our wage levels were as low as in Japan.

On the other hand, had foreign entrepreneurs come along with us sixty and seventy years ago; had they appreciated the connection between mass-production and mass-consumption (as the market) and looked upon employee compensation as the greatly predominant element of mass purchasing power, and raised their wages accordingly, we would not be in our present predicament; but they did not do so. However, after World War II in a matter of a decade or two they confronted us with a *fait accompli* on the technological side while allowing wages to trail. The unfairness of competitive advantages derived abroad from high productivity and low wages when our producers are inescapably tied to high and rising wage levels that at least have the virtue of providing the necessary purchasing power to absorb our massive product output, is not yet fully appreciated.

THE COST GAP

Quite ironically our industry has in recent years indeed been charged with inefficiency. Comparisons are made with the ex-

pansion and rising productivity of Japan, West Germany and Italy. This comparison pictures American industry as the tortoise alongside the foreign hare. The comparison is, of course, inept. The percentage rise in other countries is measured from a much lower base than our own. Since the other countries were catching up through the feverish installation of modern machinery and equipment they should have been expected to show a very handsome percentage achievement compared with us. *Output per man-hour for all manufacturing employees* increased from 1960–70 by 190% in Japan, 74% in West Germany and 180% in Italy. In this country the increase was 34%. In Japan manufacturing employment increased 57.3%; in the United States, 15.4%.

The very fact that our industries (now including even machinery) were confronted with low-cost-laden imports perforce dampened their enthusiasm for expansion, particularly since the Kennedy Round confronted them with five years of further tariff reduction. The degree of blindness induced by our college-and press-inculcated free trade philosophy can be measured quite convincingly by our incapacity as a nation to see what should have been clear to any competent observer.

American industry, it was bruited about, had lost its will, it was complacent, or, worse, decadent! The indictment was extremely superficial, indeed suicidally so. The greater efficiency demanded of our industry could only be achieved by worker displacement since employee compensation in this country represents approximately 80% of all corporate production costs in the absence of monopoly.

"Very well", it is said "we made our way up the economic ladder by development of labor-saving devices": and that is true; but there is a wide difference between that process and what we face today. We then had our own market before us, *uncontested* by low-cost-advantaged foreign competitors such as we face today. The latter can take the enlarged market to which we previously looked, as we progressively reduced our costs, away from us before our very eyes; indeed before we can reach it. *This difference is crucial and compelling and has confronted us with our unhappy dilemma.* Today when we strive for greater efficiency through higher technology, i.e., worker displacement, we are left with the remains in the form of greater unemployment, higher welfare rolls and bitterness, while the higher employment we previously looked to with confidence, takes place abroad. Foreign producers, including our own factories abroad, reap the dividend that underwrote our former driving enterprise! It is not a matter of our losing confidence but one of simple arithmetic.

The injury inflicted by imports is therefore not properly measured by the simple displacement of steel workers, textile workers or vegetable growers, but much more significantly by the jobs that are prevented from opening; and these we need by the millions in the oncoming years if we aspire to anything approaching full employment.

In order to overcome the structural difference that puts our cost level alongside the vari-leveled foreign nether abutments we must restore the conditions under which we developed our unique economy in the first place. The conditions of trade must be controlled, not to the detriment of a high volume of commerce, but with an eye to withdrawing from imports their power to unravel the motivation that impelled American enterprise to perform its sustaining miracles of production. This, let us keep in mind, demands real competition but not of a variety that can breathe a blight on the buds of new and hopeful ventures, withering and dropping them to the earth before they can reach maturity.

According to Secretary of Commerce Maurice Stans, in 1970 Japanese labor costs, including fringe benefits, were still only 26% of ours, the British 37%, the French 39% and the West German 54%.

If these differentials in unit costs are even approximately correct, the realignment of currencies now under way will not be sufficient to restore our economy to its pristine vigor.

The most effective and reasonable remedy would lie in the establishment of import ceilings that would set aside a reasonable portion of the domestic market to be supplied by imports. Flexibility could be assured both by permitting imports to grow as our market for any particular product might increase and by revising the ceilings every five years, taking into account changed conditions here and abroad.

Such ceilings would once more open the way for new products and radical improvement and cost-reduction of existing ones and thus restore the now punctured and deflated motivation that led to the building of our uniquely productive system in the first instance.

CITIZEN ANTICRIME PATROL ASSISTANCE ACT

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, today, joined by 14 of my House colleagues, I am introducing the Citizen Anticrime Patrol Assistance Act, which would provide direct Federal assistance to responsible citizen groups organized to serve the community and halt the escalation of crime in their neighborhoods—this bill is a perfected version of H.R. 12262, which I introduced on December 13, 1971.

In New York, and many other communities around the Nation, citizen patrols have proved responsible and effective in reducing and preventing crime. As indicated in an article by Mr. Robert Garrett in the New York Post for February 10, 1972, which appears below, unarmed citizens patrolling their streets have had a remarkable success in reducing crime.

While the wealthy can afford to hire private security guards, low- and middle-income citizens must provide extra protection for themselves without compensation or help of any kind in meeting the costs. Many patrols have floundered for lack of financial assistance. This fact is revealed in a letter to me from Benjamin Ward, deputy commissioner for community affairs of the New York City Police Department.

Last November, I discussed with Mr. Ward and New York City Police Commissioner Patrick V. Murphy, the need for involving responsible citizens in the fight against crime and how best to accomplish this goal. Since then, Mr. Ward has endorsed my proposal and has stressed the value of anticrime patrols.

The following is the text of Mr. Ward's letter:

POLICE DEPARTMENT,
CITY OF NEW YORK,
New York, N.Y., February 1, 1972.

Hon. Congressman JONATHAN B. BINGHAM,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BINGHAM: Obviously, you are a man of action and a man of your word. When I last met with you and Police Commissioner Patrick V. Murphy, you indicated support for our Auxiliary Police Force and Citizen Anticrime Patrols. I did not expect you to get a Bill in support of financial assistance into the hopper so quickly.

I support your proposal and am willing to assist you in obtaining support for the Bill. My staff has identified and contacted over 150 citizen anticrime patrol organizations in the city at this time. The ones most needed, tend to quickly flounder for want of financial assistance and sufficient police department encouragement. I am hard at work on both aspects of the problem, with some limited success. For example, both East Flatbush and Spanish Harlem (East Harlem) have recently activated enthusiastic Citizen Anticrime Patrols to protect their communities. My staff has devised guidelines and identification cards for their use. When used as an adjunct to the regular police force, I find such patrols to be a valuable asset. They encourage people to return to the streets. The street criminal abhors people on the street in significant numbers. But, the streets belong to the people and it is time Washington helped in a campaign to support concerned citizens, *Join In A Walk On Crime.*

The old bugaboo of vigilante will be raised in opposition to the Bill. There are no vigilantes in New York City and I find that concerned citizens, acting together in self protection efforts, in cooperation and as an adjunct to the regular police discourage vigilantes—not encourage such lawlessness.

When your Bill comes up before the committee, feel free to call upon me to testify on behalf of the Bill if you feel it will help.

Sincerely,

BENJAMIN WARD,
Deputy Commissioner,
Community Affairs.

In my estimation, it is clear that the Federal Government should begin now to assist responsible citizen projects and reward active community protectors.

Under my bill, grants would be available to neighborhood "residents' organizations" formed to serve the community. To receive assistance, groups would be required to provide plans for "crime watch services ' and meet special requirements, such as first, demonstrating a need for assistance, second, consulting with local police in developing the plan, and third, establishing that the plan would not infringe upon constitutional liberties.

Funds could be used to cover the cost of training and equipping residents and to provide small stipends to active resident's organization members. However, there is a specific prohibition against the use of "any firearm, chemical agent or other weapon" by members. Also, funds could not be used to purchase, rent, lease or maintain any motor vehicle.

The act provides for special authorizations of $50 million in 1973, $75 million in 1974, and $100 million in 1975, to be disbursed by the Law Enforcement Assistance Administration directly to qualified residents' organizations.

Following is a list of cosponsors of the Citizens Anticrime Patrol Assistance Act:

Les Aspin, Democrat of Wisconsin.
Ronald V. Dellums, Democrat of California.
Joshua Eilberg, Democrat of Pennsylvania.
Seymour Halpern, Republican of New York.
Henry Helstoski, Democrat of New Jersey.
Spark Matsunaga, Democrat of Hawaii.
Ralph H. Metcalfe, Democrat of Illinois.
Parren J. Mitchell, Democrat of Maryland.
Brad F. Morse, Republican of Massachusetts.
Robert N. C. Nix, Democrat of Pennsylvania.

Claude Pepper, Democrat of Florida.
Benjamin S. Rosenthal, Democrat of New York.
William F. Ryan, Democrat of New York.
James H. Scheuer, Democrat of New York.

The following is Mr. Garrett's article:

[From the New York Post, Feb. 10, 1972]

TENANT PATROLS CURBING STUYVESANT TOWN CRIME

(By Robert Garrett)

The Stuyvesant Town crime rate has been dropping "dramatically" since tenants a year ago began patrolling in strength their own tree-lined courtyards, according to community leaders and local police.

And despite four of five residents stopped recently on a chilly, wind-swept street who said they knew nothing about increased protection, their homes and families are more secure now than in the past several years, according to police and community leaders.

Increased protection for residents in scores of 14-story brick buildings set amid mildly rolling hills north of E. 14th St., began last February, when police and community leaders began a massive drive to convince residents their hope lay not in more police, but in more active citizens.

The recruitment drive for a citizen's patrol was spurred in the summer by an article in Town and Village, a community newspaper, which encouraged 18 to 55-year-olds to volunteer two evenings weekly. Readers also contributed almost $6000 to buy uniforms, nightsticks and other police equipment.

"PEOPLE WERE TERRIFIED"

Said publisher Charles Hagedorn: "People were terrified. The crime rate—murder, rape, robbery, stabbings—was up almost 400 per cent, and extra police assigned to the area were quickly re-assigned." Dozens of crimes had been occurring weekly, according to authorities.

Over 50 people offered their time, attended special Police Dept. classes, and were sworn into the Auxiliary Police Force, a group of several thousand men throughout the city working from local precinct houses to supplement the cop on the beat.

The 13th Precinct, which encompasses Stuyvesant Town, had accepted volunteers for nine years, but never before had such numbers asked for the right to patrol their own neighborhoods.

The auxiliaries receive no pay and, as they are not policemen, are not allowed to carry guns. Yet the presence of uniforms on the streets, according to members, is a great deterrent. (Their uniforms are almost identical to the familiar blue police outfit, but the badge is a star not a shield, and the caps are less elaborate.)

In the past three weeks, with the added help of a handful of Tactical Patrol Force men, not one violent crime has been reported in the area. The patrol now down to 33 men, is hoping to keep the legwork up and the crime down.

Mr. Speaker, decentralization of municipal services is currently a fashionable approach to city problems. A distinguished New Yorker, Dr. E. S. Savas, who is presently first deputy city administrator in the office of the mayor of New York City, has written a most interesting article making the case for decentralization of municipal services and the takeover by citizens groups of some of those services. While I do not agree with all of Dr. Savas' arguments and recommendations, the legislation I am introducing today directly relevant to his conclusions in that it would encourage the very kind of citizen action in cooperation with the police that he specifically recommends. His article, from the December 1971 issue of Harper's magazine, also makes a number of other interesting suggestions, and I therefore insert it at this point in the RECORD.

MUNICIPAL MONOPOLY: UNCIVIL SERVANTS: THERE ARE NO CULPRITS, ONLY SCAPEGOATS

(By E. S. Savas)

Our cities are not working well. Sanitation, safety, transportation, housing, education—even electricity and telephones—all seem to be failing. The taxpayer complains about waste, inefficiency, and mismanagement, and blames his public servants.

In part, the problems derive from the fragile nature of modern society, which is so variously complex and interconnected. Just think of all the different people—from farmer to supermarket clerk—whose efforts must mesh in order for a slice of bread to reach your table. Any one participant could break the chain, including the man whose guild card authorizes him (and only him) to pump gas into the baker's delivery van. Nevertheless, we manage to get our daily bread after all. That's because there are many sources of flour and numerous individual bakeries: no one has an effective monopoly. Furthermore, products can be stockpiled, and so there's always fertilizer, wheat, flour, and even bread and frozen rolls, stored at various points in the system.

The city, however, is uniquely vulnerable to service shutdowns—and it doesn't have the options of moving to the South, starting a branch in Hong Kong, or going out of business. After all, a principal function of government is to provide, or at least regulate, those services that by their very nature are monopolies; and so the city furnishes public sanitation, police, and fire services, while the state government regulates the private power and telephone companies. These are all monopolies of a crucial sort, for their services—unlike flour—cannot be stockpiled or imported.

Therein lies a key problem of American cities: monopolies, whether public or private, are inefficient. Since most city agencies are monopolies, their staffs are automatically tempted to exercise that monopoly power for their own parochial advantage—and efficiency is rarely seen as an advantage. When a municipal monopoly no longer serves any interest but its own, the citizenry is left quivering with frustration and rage. The inefficiency of municipal services is not due to bad commissioners, mayors, managers, workers, unions, or labor leaders; it is a natural consequence of a monopoly system. *The public has created the monopoly, the monopoly behaves in predictable fashion, and there are no culprits, only scapegoats.*

Monopoly systems are also inherently unreliable because of their vulnerability to strikes and slowdowns. Legislators who do not seem to understand the fundamental workings of the system continue to demand that public employees behave as though they did *not* possess monopoly power. The New York State legislature, for example, persists in drafting futile no-strike edicts, and is now hailing compulsory arbitration as the latest cure. That's like King Canute asking the sea to pretend it's a pond and telling the tides they must cease and desist. The U.S. Congress did much the same thing—and achieved equally spectacular failures—in its naive dealings with monopolies such as the Postal Service and the railroads.

Employee groups favored with a monopoly carefully contrived absenteeism to achieve the effect of a strike, while getting around no-strike laws and avoiding prosecution. The government is then left with trying to prove there was a conspiracy when a tenth or a third of the work force suddenly took ill or started diligently following some obscure, trivial, but time-consuming work-safety rule.

In this situation, the urban public often lacks even the most basic defenses of a community: when much of the municipal work force lives outside the city proper, they and their families do not feel the effects of strikes and slowdowns at first hand, and are not subjected to social pressure from their friends and neighbors to resume their duty of providing vital services.

Evidence of malfunctioning municipal monopolies is all around us, and although the specific examples here are drawn from New York, the picture is, or soon will be, similar in other cities across the country.

Over the past ninety years, for instance, New York has constructed an elaborate organization called the Department of Sanitation and given it a monopoly over the collection of household refuse. Unlike most municipal monopolies, however, there is here a standard for comparison—the regulated (and unionized) private cartmen who collect refuse from stores, restaurants, and other commercial establishments. The comparison is instructive: it costs Sanitation almost three times as much to collect a ton of garbage as it costs the private entrepreneur. Furthermore, the average Sanitation truck is out of commission more than 30 per cent of the time; the private truck is out only about 5 per cent of the time. The explanation is obvious: if you own a mere one or two trucks, as most cartmen do, and your livelihood depends on them, you make sure they stay in working order.

An explanation of the threefold difference in collection costs is also simple, and derives from such embarrassingly old-fashioned concepts as close supervision and good management, motivated by the lure of profits. The more refuse a private cartman picks up in a day, the more money he makes. In the municipal monopoly, there is absolutely no connection between the two.

Household refuse collection is not the only monopoly granted to the Department of Sanitation; it also has exclusive responsibility for snow removal. Here, too, the dead hand of monopoly is evident. In an eleven-hour work shift, only about six hours of actual plowing is done. The rest of the time is consumed in roll call, starting up, lunch breaks, coffee breaks, warm-up breaks, fueling breaks, driving to and from the plow routes, and washing up.

Nowhere does the inexorable inefficiency of municipal monopolies come through more clearly than in the following incredible statistic: between 1940 and 1965, the number of policemen in New York City increased by 50 per cent (from 16,000 to 24,000), but the *total* number of hours worked by the entire force in 1965 was actually *less* than in 1940. The increase in manpower was completely eaten up by a shorter work week, a longer lunch break, more vacation days, more holidays, and more sick leave. By comparison, during the same period, the length of the average work week throughout the U.S. declined by only 8 per cent.

The monopoly nature of police, fire, and sanitation services has produced work schedules totally unrelated to public needs. Until Mayor Lindsay succesfully persuaded the state legislature to pass the "fourth platoon" bill—and it required a major effort on his part—state law called for an equal number of policemen working on each tour of duty. Small wonder that there was "cooping," or sleeping on the job; there simply wasn't much work to be done at 4:00 a.m. But neither the Mayor nor the Police Commissioner could reduce the graveyard shift and switch men to other tours of duty. "If you want more police available at 8:00 p.m., hire more police," was the legally sanctioned reply.

The most absurdly run New York City monopoly is mass transit. Seventy per cent of all mass transit rides occur during rush hours. But just try to push through any efficient "split-shift" scheduling of manpower.

Instead, some bus drivers for the state-operated Metropolitan Transit Authority work *eight* hours a day but are paid for *fourteen*. They are compensated handsomely for the "hardship" of taking a paid four-hour Mediterranean-style break in the middle of their eight-hour work-day. Imagine where baseball would be if the hot-dog vendors insisted on being paid for a forty-hour week, fifty-two weeks a year.

Of course, no rundown of the municipal monopolies would be complete without mentioning education. It is enough to point out that a 50 per cent increase in the number of teachers, and the addition of one paraprofessional for every two teachers, has produced only a slight reduction in class size. The teachers have simply reduced their work hours and passed on some of their duties. Parents can judge for themselves whether the result has been better teacher preparation and better education for their children.

A different example of a malfunctioning municipal system is one invisible to the average citizen. Over the past century, the city has constructed an elaborate, time-consuming, costly bureaucratic system of checks and balances designed to assure that the government gets fair value in its purchases and to protect against corruption in contracting for supplies and equipment. However, the consequence is a long delay in securing bids, ordering goods, and paying bills. Requests are prepared and submitted to bidders on an approved list. Sealed bids are received and opened ceremoniously, contracts are awarded, purchase orders are prepared and issued, goods are received, several different agencies check to see that the right goods were delivered in good condition to the right place at the right time, payment is authorized after a proper invoice is received and cross-checked, and finally a check for payment is grudgingly issued by the city treasury months later.

The result of all this red tape is that many potential vendors refuse to do business with the city, while those who do charge higher prices to make up for their additional costs and trouble. Thus, a strategy intended to *increase* competition and *reduce* the cost of goods has precisely the opposite effect of *reducing* competition and *increasing* cost.

Much of the malfunctioning of municipal monopolies can be attributed to the fact that the civil service system itself is defective. The system was originally designed to promote quality in public service by providing security for the individual employee and freedom from external influences. Unfortunately, this has come to mean freedom to be unresponsive to the changing needs of society. The problem shows up all over the country in the form of uncivil servants going through preprogrammed motions while awaiting their pensions. Too often the result is mindless bureaucracies that, to the embittered taxpayer, appear to function solely for the convenience of their staffs rather than the public whom they are supposed to serve.

In civil service there is virtually no connection between an employee's performance and his reward; raises are automatic, and an employee cannot be dismissed without an extraordinary and time-consuming effort. Instead of a merit system there is a seniority system. Promotions occur incestuously from within, based on examinations that attempt—but fail—to measure performance. The Civil Service Commission in New York recently severed one of the last vestigial links between performance and reward when it abolished a rule requiring a favorable appraisal of an employee in his current job before he could be promoted. In the meantime, the able and devoted civil servant—and there are many—is often no better rewarded than the incompetent slacker and finds himself vilified by the public for the negligence and lethargy of his colleagues.

It is not only rank-and-file employees who are tempted to abuse their monopoly power; monopoly agencies tend to develop their own separate goals and values. Thus, in a paradoxical and unintended way, it turns out that a severe housing crisis can actually be *good* for a housing agency, in the same odd sense that dirty streets are *good* for a street-cleaning department, high crime is *good* for police, a drought is *good* for a water department, traffic congestion is *good* for a traffic department, and an epidemic is *good* for doctors and hospitals. No one wills it that way, but the system rewards the crisis area with money, growth, visibility, and prestige—the chance to be a hero. This can lead to brinkmanship, an appealing tactic that is readily available to a monopoly.

Of course, all the remarks about the publicly operated municipal monopolies apply equally well to the privately operated municipal monopolies. Brinkmanship is being exercised when a local electric utility warns that its equipment will (be allowed to?) deteriorate unless its demands for higher rates are met. Or when it predicts (threatens?) a blackout unless it is permitted to build a dam, power station, or transmission line at a particularly scenic spot.

REFUSE-COLLECTION VOUCHERS

So much for this brief but depressing catalogue of runaway municipal monopolies, both public and private. What can be done about this state of affairs? How can the inefficiencies of our public services be corrected?

There are three major strategies for relaxing the stranglehold of the municipal monopolies:

Increase the supply of organizations and people authorized to provide the services.

Reduce the demand for these services.

Break up the monopolies into smaller pieces.

The first approach—increasing the supply of organizations and people who are authorized to provide municipal services—is an obvious remedy in the area of refuse collection. Under competitive bidding a city could contract with private carting firms to collect refuse from certain routes or in certain areas. This is the way it's done in Boston and it was the practice until 1929 in parts of New York, where the idea is now being examined anew.

A more drastic approach would be to issue a refuse-collection voucher to a property owner when he pays his property tax. He would then have the choice of using his voucher to purchase service from either his sanitation department or a private firm. Competition for his voucher would be based on the quality and quantity of service—convenience, cleanliness, quietness and frequency of service, and the amount picked up. Of course, the competition ought to work both ways. A store owner should also have the option of buying *his* service from a sanitation department; in most cities at present he can be serviced only by private industry.

The voucher system is also being used experimentally in some cities to provide competition to the education monopoly. Under this system, a family receives a voucher good for one year's worth of grade-school education, for example, and can use the voucher to enroll the child in any certified private or public school. The school subsequently converts the voucher to cash by turning it in to the public agency that issued it.

One might argue that a completely competitive system of education could lead to such diversity in curriculum and achievement that students transferring or being promoted to other schools would be badly served. There is no reason for anguish; higher education in the United States is a good example of a competitive system, with both private and public colleges in many different state systems, yet these problems do not arise in any serious form. Regulation of all schools would continue to be exercised by government boards, which would prescribe general standards for curriculum and reading achievement, for example, while leaving the pedagogical details to the individual schools. The function of the state would be to inspect, measure, and report on the performance of the different schools.

Certainly, competition is not practical for all municipal services. In particular, it is difficult to see how the dangerous duties of police and fire departments could be performed competitively. However, some activities other than catching criminals and putting out fires do lend themselves to competition, even though the competition would come from other public servants. Civilians could perform more of the work currently assigned to uniformed patrolmen and firemen that doesn't require their special skills. An obvious area is traffic control. Meter maids in New York's Traffic Department could direct traffic, but there is predictable pressure from the police to prevent this from happening. Even in parking enforcement, the Traffic Department's agents do not have authority to issue tickets for "no parking" violations; that remains the private preserve of the police—and incidentally guarantees the latter the extralegal fringe benefit of parking with impunity in no-parking zones.

The second major strategy for relaxing the stranglehold of the municipal monopolies is to reduce the demand for their services. There are three possible ways to accomplish this:

Shrink the monopolies.

Change our consumption habits for these services.

"Do it yourself."

Shrinking the refuse-collection monopoly means reducing the number of eligible customers. For example, a city could drop its traditional "free" service to tax-exempt properties and to institutions such as schools, hospitals, and large apartment buildings. These customers would then arrange for their own pickups, using commercial services.

The scope of the traditional education monopoly is shrinking—albeit on a minute scale—as students drop out of high school and subsequently enroll in privately financed street academies and high-school-equivalency programs in the armed forces and in the business world; surely such programs ought to be encouraged. In the same vein, junior colleges throughout the country are stressing remedial programs whose net effect is to provide the high-school education that was not provided by the high schools. Perhaps this responsibility should be formally transferred, by permitting students to enter junior college after two or three years of high school. As for vocational high schools, it is likely that they could be replaced by modern industrial unions or corporations that have a vested interest in training skilled workers to fill expected job openings. Shrinkage may also occur at the lower end of the educational spectrum, if day-care centers expand to assume the functions of kindergartens.

In the field of electric power, one way to shrink the scope of the monopoly is to separate power generation from power distribution. Legislation should make it possible for a city to buy power from any appropriate generating plant, and to reply on the local utility only for the use of the distribution network.

Another way to limit the demand for certain monopoly services is to change the public's consumption habits for such services. For example, in order to reduce a city's vulnerability to power blackouts and brownouts, it would be helpful to reduce the peak demand for power. One way to achieve this is by a pricing policy that would make people pay more for the power they draw during peak periods and give them a bargain on the electricity they use during low-demand pe-

riods. This would require some technical changes in electric meters, but it can be done; in fact, such a system is in effect in France.

Finally, the "do it yourself" philosophy makes sense for some municipal services. For example, the Association for a Better New York, out of exasperation and at its own expense, has started cleaning the streets (in addition to the sidewalks) in the front of its member buildings. One way to reduce the need for more preventive police patrol is to encourage more citizen patrols, tenant patrols, auxiliary police and the like to work in cooperation with the police. Already in many urban neighborhoods residents are, in effect, levying a special tax on themselves and purchasing guard services or volunteering for guard duty for their block or building—and thereby buying protection at a much lower cost than the municipal monopoly could provide.

So far we have discussed various ways to increase the supply and reduce the demand for monopoly services. Together these two strategies would reduce the number of failure-prone parts in our vulnerable city systems.

In addition, there is a third strategy. These public systems could be made more reliable by breaking them up into smaller geographical pieces. That way, if a little system breaks down in a Bronx neighborhood, maybe it won't affect Harlem; a street-cleaning slowdown in Brooklyn Heights could still mean clean streets in the financial district. Neighborhood government, a concept much in vogue, offers precisely this opportunity. One doesn't even have to invoke the ideals of "participatory democracy" or "power to the people." Neighborhood government makes sense even on such prosaic grounds as potential reliability, efficiency, and effectiveness.

Suppose that a neighborhood were to receive a modest supplemental budget that could be expended at the direction of some sort of neighborhood government council. One could then imagine the following dialogue between the neighborhood body and the city's street-cleaning department:

Citizens: We would like to spend $100,000 more this year for cleaner streets. What will that buy us?

Department: (thumbing through the city's official rate book) Umm, let's see now . . . oh, yeah. For $100,000 you get one truck, three men, and a broom.

Citizens: What? For $100,000 all we get is one lousy truck, three men, and a broom? Forget it. We can get a better deal by setting up our own local Municipal Services Corporation!

But there is a more drastic and far-reaching way to break up the monopoly and to restructure the public service in a manner that simultaneously builds up the neighborhood concept and takes advantage of the dawning "do it yourself" awareness in urban communities.

Before describing it, however, it is useful to step back and view urban problems in the following way: the urban dweller is dissatisfied because he feels that he cannot influence the quality of his immediate environment—he cannot effectively influence the safety of his family, the education of his children, the behavior of his neighbors, the appearance of his physical surroundings, the cleanliness of his block, the purity of his air, or the adequacy of local transportation.

The problem arose when the Industrial Revolution brought about a separation between the place of residence and the place of work. As more and more people started working at sites distant from where they lived, they could no longer pay attention to the immediate environment around their homes and had less reason to interact and cooperate with their neighbors. They started paying people to educate their children, police their streets, protect their property, pick up their litter, and so forth. In other words, we've been "contracting out" for our local needs, but we've done it without writing very good specifications for the work to be done and without establishing very good systems for measuring the performance of the contractors who are doing the work on our behalf.

With that view in mind, consider these two facts and translate them for any city in the nation:

New York City has about 400,000 employees.

New York City has about 60,000 residential blocks.

Then start speculating about converting one-seventh of this work force into block workers. Imagine the effects of one full-time worker on each block whose job would be to monitor services, organize a block association for self-help, and generally work to improve life on that block. I'm not suggesting a Red Guard commune, where everybody on the block falls out for calisthenics at 6:00 A.M. and afterwards marches into the community mess hall for breakfast, but think of the possibilities.

Crime could be reduced by a voluntary escort service and by informal street and building patrols whose members would not be too embarrassed or too uninvolved to help a woman screaming for her life. Block parties and other functions organized by the block worker would increase the street movement, creates a sense of community, and otherwise make the block a safer place. Drug pushers would look for more hospitable hangouts. Social pressure on litterers, superintendents, tenants, homeowners, merchants, illegal parkers, and cleaning personnel would produce cleaner streets and sidewalks. Fire-prevention programs and even fire drills could be carried out on blocks subject to the daily threat of fires, and this might also reduce the number of false alarms. Parents' associations and local school boards would have a good mechanism at their disposal to build an informed constituency and increase their influence over the remaining education monopoly. In tenement areas, the block worker could organize tenant groups to improve housing conditions and to work with landlords and the police to improve building security. Ad hoc recreation activities, after-school learning centers, and volunteer day-care facilities would inevitably be started. Merchants using predatory practices would be more likely to be exposed than they are today. Repairs to streets, sidewalks, hydrants, lights, signs, and even public telephones could be ordered promptly by the block worker and followed up to make sure they were done.

All this could be accomplished with nothing more sophisticated than lists of tenants and phone numbers, access to a mimeographing machine, and Scotch tape for posters. Right now we've got police, sanitation, fire, education, housing, recreation, social services, consumer affairs, highways, traffic, and other departments whose job it is to produce these results. Proportional reductions in these agencies, and switching to block workers, might accomplish a lot more, in the final analysis, where it really counts: in the taxpayer's daily life.

The cost of such a program could be further offset by assigning the block worker to perform minor departmental inspections and to read water meters. The local utility company might pay to have him read its utility meters on that block. And here is a far-out approach to federal revenue sharing that Wilbur Mills hasn't mentioned: the worker could be paid by the Postal Service to pick up mail at the post office and deliver it to the residents on that block.

The block worker would emerge as a sort of concierge, a benign busybody with formal active responsibility for improving the "livability" of the block. The block has lacked such a person ever since modern technology eliminated the lamplighter and the watchman on foot; now no one (except the postman—a very specialized service employee from a distant government) has a daily duty to perform on the block.

A skeptic might point out that this is nothing but a return to the ward-heeler style of government, and would be disastrous. Nonsense. In the first place, to reduce the potential for conventional political activity, the job could be restricted to qualified people who live outside the immediate political district where they work, and they could be made subject to a local version of the Hatch Act. In the second place, the danger of a local thug somehow taking command in an area is no different from the similar danger today, or the danger of corrupt local public servants and officials. In the third place, the excesses of the inefficient ward heelers of a century ago required reform in the way of centralization, professionalization, and a merit-based civil service. Now that we have carried out those reforms—and are left victimized by monopolistic, unresponsive, meritless systems—it's time for a change.

If these changes are made, no doubt the time will come again, in another half-century or century, when the disadvantages of the block-level system advocated here will outweigh its advantages. At such time in the distant future, a change toward a new system—a system that meets the needs of those new conditions—will again be in order, for there is no such thing as a manmade system that works well for all eternity.

NATO IN NORTHERN IRELAND

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, the presence of British troops in Northern Ireland, and the policy of internment being carried out by those troops, continue to fan hostilities there, increasing the tragedy and violence. The British are making the same mistakes in Northern Ireland today that they made in the American Colonies two centuries ago. Five colonists were killed in the famous Boston massacre of 1770. By contrast, 13 Irishmen were killed in the recent massacre in Derry. That incident, and others like it, are deeply distressing to Americans whose own ancestors suffered under ill-conceived British occupation. What is even more appalling is the reaction of the British Government: no sign of grief or shame, only more troops and a determined campaign to choke off protest demonstrations. But hopefully the result of British mistakes in Northern Ireland will be the same as their mistakes in the American Colonies: freedom and unity for a brave people.

It has recently been charged that the British troops stationed in Northern Ireland are also NATO troops. There is mounting evidence that this is the case. In checking on the charge, I have received informal confirmation from State Department sources that the troops do, in fact, use NATO equipment and that some have come to Northern Ireland from duty in West Germany where they were under NATO command. I have therefore sent the following urgent letter to the Secretary of Defense requesting a detailed investigation and report on this matter:

Hon. MELVIN LAIRD,
Secretary of Defense, the Pentagon,
Washington, D.C.

DEAR MR. SECRETARY: Charges continue to be made that British military troops currently assigned to Northern Ireland are "NATO troops." To help shed light on this controversy, please provide me with a detailed report on the following points as soon as possible:

Specifically what British military units are currently stationed or operating in Northern Ireland?

What is the record of each of these units during and prior to their assignment to Northern Ireland with regard to *training* under the auspices or command of the North Atlantic Treaty Organization?

What is the record of each of these units during and prior to their assignment to Northern Ireland with regard to *participation in military exercises* conducted or sponsored by the North Atlantic Treaty Organization?

To what extent does each of these units utilize equipment designed or produced under NATO cooperative guidelines?

To what extent do these units utilize equipment that is identical to equipment utilized by troops of other NATO member countries?

What is the record of the command of these units during and prior to their assignment to Northern Ireland with regard to participation or membership in the NATO command?

Are there any any other indications that British troops currently assigned or operating of Northern Ireland might be regarded as NATO troops? If so, what are those indications?

Sincerely,

JONATHAN B. BINGHAM.

The British have consistently claimed that the situation in Northern Ireland is an internal matter, not an international one. The Nixon administration has apparently accepted that argument and has pussyfooted rather than tell the British of our deep concern and doubt about their policies. But I have argued, along with others, that the British position is a sham. The apparent involvement of NATO in Northern Ireland further illustrates the absurdity of Britain's claim.

If the detailed inquiry I have initiated with the Secretary of Defense confirms, as I expect it will, significant involvement by these British units in NATO, the United States should certainly take appropriate action within NATO through our Ambassador to convey our deep concern over the situation in Northern Ireland and British policy there, and to press the British to withdraw its military forces from Northern Ireland so that they may be replaced, if necessary, by international peace-keeping forces.

Article 4 of the NATO treaty provides that member countries:

Will consult together whenever, in the opinion of any of them, the territorial integrity, political independence, or security of any of the Parties is threatened.

Certainly continued violence bordering on civil war in Northern Ireland is a matter which is not only tragic for those involved but also weakens the defense, and hence, the security of the United Kingdom and of the countries, including the United States, which are committed to the defense of the United Kingdom through NATO. So far as I am aware, our Ambassador and permanent representatives in NATO have failed to make full and appropriate use of that organization and our considerable influence in it on behalf of ending the Ulster crisis by pressing the British to change their disastrous policy. I certainly intend, on the basis of this investigation, to seek such action by our Government within the NATO alliance.

DR. FRANK PORTER GRAHAM

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, it is with great sadness that I note the passing of Dr. Frank Porter Graham, who died yesterday in his home State of North Carolina.

Frank Graham's career was as distinguished as it was long, reaching from educator to U.S. Senator, from civil libertarian to peacemaker. A humanitarian in the truest sense of that word, he dedicated his life to the quest for justice and equality for all of our citizens. His concern for the human condition was well reflected in his stanch defense of civil rights, his striving for international peace, and his protection of the rights of labor.

Born in Fayetteville, N.C., in 1886, Frank Graham began his career as a high school teacher shortly before World War I. In 1930, he was named first president of the Consolidated University of North Carolina. In 1949, he was appointed by the Governor of North Carolina to serve the remainder of the term of the late Senator J. Melville Broughton. In 1951, he accepted an appointment to the United Nations, where he conscientiously worked in behalf of a settlement of the Kashmir dispute between India and Pakistan.

In 1961, he was presented the World Peace Award of the Freedom Association for his valiant efforts at the U.N.

Dr. Graham was a man of unusual kindness and humanity, who possessed absolute courage in his convictions. No area of human endeavor, if it served the cause of freedom, escaped some measure of Frank Graham's attention.

He lived out the prophecy made by one of his admirers many years ago:

He'll speak for all mankind. He is a citizen of the universe.

Frank Porter Graham did speak for all mankind. His voice will be sorely missed.

At this point, I include in the RECORD a tribute to Dr. Graham which appeared in the New York Times on February 17, 1972:

DR. FRANK GRAHAM DIES AT 85; CIVIL RIGHTS LEADER IN THE SOUTH; HEADED UNIVERSITY OF NORTH CAROLINA—SERVED AS U.N. MEDIATOR IN THE KASHMIR DISPUTE

CHAPEL HILL, N.C., February 16.—Dr. Frank Porter Graham, formerly president of the University of North Carolina, a United States Senator and a United Nations mediator, died today in North Carolina Memorial Hospital. His age was 85. He had suffered a heart attack Friday.

CHAMPIONED MANY CAUSES

Among the many causes Dr. Graham espoused—from the teacher's rostrum, at the executive's desk and as a public figure and private citizen—were academic freedom, better education, civil rights, disarmament and peace.

His efforts earned him such labels as distinguished educator, ardent liberal, Communist and "traitor to the South." But even his most bitter opponents would have conceded the remarkable and lengthy consistency of his views.

In 1966 thirty-four years after Dr. Graham, as president of the Consolidated University of North Carolina, had defended the right of students to invite Norman Thomas, the Socialist candidate for President to speak at Chapel Hill, he was found again on the same campus, defending student rights in a similar case.

This time his title was United Nations Representative for India and Pakistan in their dispute over the Kashmir, but he saw no reason why his position should bar him for voicing his support for the students, who were suing the administration over the right to hear speakers of their choice.

PRAISED BLACK SIT-IN

"These students who have brought the court suit," he said that October day, "are not against the university but are for the hopes and heritage of freedom in keeping with the American Bill of Rights."

To Dr. Graham, the students fighting the ban were spiritual kin to the black students who had initiated a sit-in movement in January, 1960, at a department store lunch counter in Greensboro. Dr. Graham was on their side, too, and recalling a speech he had made at Bennett College, a school for black women, he related:

"I said that those Negroes sitting down were standing up for the American Bill of Rights. In their hearts they were not breaking the law, but testing it in order to fulfill the higher law of the Bill of Rights."

These liberal views had already put him at odds with many conservative elements in his own state years before.

In 1949, Dr. Graham was appointed to the Senate to fill the vacancy created by the death of J. Melville Broughton. But the following year, he was defeated for the Democratic nomination to a full term after a bitter campaign in which his opponents pictured him as a traitor to the South for having signed the controversial report of the President's Committee on Civil Rights during the Truman Administration.

Although Dr. Graham described himself as a man who had always opposed "Communism and all totalitarian dictatorships," there were also repeated attempts to brand him as a Communist or Communist sympathizer.

The attacks were based chiefly on the fact that he had been the first chairman of the Southern Conference on Human Welfare—an organization that was later declared a Communist front by the House Committee on Un-American Activities, although the committee specifically exempted Dr. Graham from the Communist charge.

MARINE OFFICER IN WAR

He was born in Fayetteville, N.C., on Oct. 14, 1886, and began his long academic career as a teacher at Raleigh High School before World War I. During the war, he rose from private to lieutenant in the Marines.

Afterward, he became a professor of history at the University of North Carolina, and in 1930 was named first president of the Consolidated University of North Carolina. This included the school in Chapel Hill, North Carolina State University in Raleigh and the Woman's College in Greensboro, now the University of North Carolina in Greensboro.

Dr. Graham was prominent in the Roosevelt Administration, serving as vice chairman of the National Consumers Advisory Board and as a leading member of the President's Advisory Council on Social Security, which drafted the framework of the social security system.

During World War II, he was appointed to the President's National Defense Mediation

Board, participating in hundreds of decisions seeking to avert strikes in war plants. President Roosevelt publicly refused to accept Dr. Graham's resignation when he tendered it in 1944.

In 1951, Dr. Graham took up his post as representative for India and Pakistan, and for the next 16 years he sought diligently but in vain to resolve the dispute between the two nations over Kashmir that had existed since their partition in 1947.

In 1961, the Freedom Association presented to him its World Peace Award for his work with the United Nations.

Failing health forced him to give up his United Nations post in 1967, and he and Mrs. Graham, the former Marian Drane, retired to Chapel Hill.

Mrs. Graham died that year. The couple had no children.

A funeral service will be held at 11 A.M. Friday at the University Presbyterian Church in Chapel Hill. A memorial service at 2 P.M. will take place in Memorial Hall on the university campus.

THE TALK OF THE TOWN

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, the current February 19 edition of the New Yorker magazine discusses the pressure brought on by environmentalists and their supporters which is going to result in the removal and disposal of a million and a half gallons of the defoliant Agent Orange, used on the South Vietnamese countryside and its people.

I commend the Department of Defense, though, I suspect this action was hastened by the concerned efforts of a Senate subcommittee investigation headed by Senator PHILIP A. HART.

The article follows:

THE TALK OF THE TOWN

NOTES AND COMMENT

The Department of Defense, not because its leaders wished to do so but because they were apprehensive about the political consequences of not doing so, has decided to withdraw from Vietnam its stockpile of a million and a half gallons of the defoliant Agent Orange—consisting of an equal mixture of the herbicides 2,4–D and 2,4,5–T—which it was about to hand over to the South Vietnamese authorities last fall to spray on their own countryside and people. As far back as 1966—when the Americans had already been waging herbicidal warfare in Vietnam for five years—samples of 2,4,5-T studied under government contract by Bionetics Research Laboratories, of Bethesda, Maryland, were shown to exert teratogenic, or fetus-deforming, effects on experimental animals. But it was not until about two years ago—after protracted delays, successive evasive maneuvers, and downright distortion of the facts by the Department of Agriculture and the Department of Defense, and even the concealment of important data about the potential hazards of 2,4,5–T by a former science adviser to President Nixon—the pressure, resulting from a Senate subcommittee investigation headed by Senator Philip Hart, obliged the Administration to place restrictions or prohibitions on certain uses of 2,4,5–T in this county. Since then, the herbicide has been shown to be inevitably contaminated with a dioxin known as TCDD, one of the most toxic substances known to man; even in as purified a form as science has been able to achieve, 2,4,5–T, in large doses, has been shown to have teratogenic effects on experimental animals. Confronted with these facts, the Department of Defense, in 1970, was forced to suspend its use in defoliation operations in Vietnam. As late as this past August, however, the Department was attempting to propagate the fiction that although the American military had stopped its own use of 2,4,5–T in Vietnam, it had no power to prevent the South Vietnamese authorities from using the million and a half gallons of Agent Orange remaining in Vietnam as they saw fit in defoliation operations conducted by the Army of the Republic of Vietnam. But further pressure, from responsible biologists and representatives of environmental groups in this country who are aware of the damage the use of this defoliant in Vietnam has already done, has now made it too difficult for the Department of Defense to hand over the stock of 2,4,5–T under the subterfuge that it no longer owns the stuff.

Currently, the United States Air Force, after considering various alternatives for the disposal of its stockpiles of Agent Orange in this country and in Vietnam—one was to sell the herbicide to some foreign country—has made tentative plans to attempt to render the stockpiles harmless by burning them in a commercial incineration plant here, with preference apparently given to a plant, with a smokestack a hundred feet high, that occupies a two-hundred-acre site just southeast of Houston. The amount of Agent Orange to be brought back here from Vietnam and the stockpiles of Agent Orange already in this country total 2,338,900 gallons. The Air Force plan calls for the burning of the herbicide at the rate of five thousand gallons a day for four hundred and sixty-eight days, with the incineration process, which results in the formation of hydrochloric acid and carbon dioxide, going on day and night. The drums in which the herbicide is now stored would, according to this plan, be flushed with an alkaline detergent solution, then mechanically crushed, and buried in a deep pit. An Air Force report estimates that the temperatures involved in the incineration process would decompose the herbicide and its dioxin contaminant, but in order to make sure that this decomposition would indeed take place the Air Force proposes to study the problem with the Department of Agriculture. However, since the Department of Agriculture has consistently argued in the past that 2,4,5-T, potent contaminant and all, is innocuous and benign, one can hardly feel sanguine about the reliability of whatever assurances the Department of Agriculture and the Air Force may come up with as a result of their joint study.

While agencies of the United States government are pondering the best ways of rendering the remaining stocks of Agent Orange harmless, others can ponder what the American military has wrought so far in its program of hebicidal warfare in Vietnam. In the last ten years, it has sprayed or dumped upon the Vietnamese countryside and the Vietnamese people approximately fifty thousand tons of herbicides. In order to hurt the Vietcong and to turn inhabitants of Vietcong-controlled areas into refugees, it has carried on a huge campaign of crop destruction, but that is not all. In the course of the herbicidal warfare in Vietnam, the Americans have defoliated a seventh of the land, ruined a large part of the timber resources that in the postwar period would have to be considered South Vietnam's principal potential export, and caused other grave ecological damage, some of which—like the infestation of certain defoliated areas by ineradicable bamboo—cannot be reversed for many generations. All this has been carried out to the accompaniment of repeated claims by the American military, and by the State Department as well, that the herbicides used are "not dangerous to man or animal life." A couple of years ago, a spokesman for the Department of Defense claimed as one of the benefits of the defoliation campaign in Vietnam that charcoal burners could easily move in on the defoliated hardwoods and could sell the resultant charcoal in the Vietnamese towns. The Air Force now appears to be happy that it has found a hundred-foot tower in this country to carry off the combustion products of the herbicide, with its potent dioxin. But the Vietnamese people have no such towers. Many Vietnamese women cook family meals over charcoal obtained from trees killed by the 2,4,5-T herbicidal spray. If the charcoal these women use still contains traces of the dioxin contaminant—or if, as some scientists have reported, the burning of 2,4,5-T can itself produce dioxin—they are running a risk of ingesting quantities, though small, of one of the most poisonous and teratogenic substances known. As long ago as 1967, a confidential memorandum from an American official connected with the herbicidal program in Vietnam reported that "no American program is more bitterly resented by the Vietnamese peasant than defoliation and crop-destruction operations." And now the Vietnamese people may be breathing the results of this American folly.

It would be unwise to conclude that the return of the remaining stocks of Agent Orange to this country means the end of herbicidal warfare in Vietnam. The American military provided the South Vietnamese authorities with several hundred thousand gallons of two additional herbicidal agents it has been using in Vietnam. They are Agent White, which is a mixture of 2,4-D and picloram (the latter is the most persistent of all herbicides), and Agent Blue, which is fifty-three per cent arsenic. Now these agents are being sprayed around fire bases and on the Vietnamese countryside by the South Vietnamese military. When will this destruction be brought to an end? Hasn't fifty thousand tons of herbicide been enough? We think that the proposed withdrawal, at least, of the remaining stocks of Agent Orange from Vietnam, having in effect knocked the props out from under the rationalizations of the American military about the harmlessness and humaneness of herbicidal warfare, should enable the United States Senate to ratify the Geneva Protocol of 1925, outlawing chemical and biological warfare. The Geneva Protocol has not been ratified by the United States, partly because the President, almost alone among the leaders of civilized nations who have expressed themselves on the question, is unwilling to recognize herbicidal warfare as one of the forms of warfare that the Protocol was intended to outlaw forever.

THE RIGHTS OF THE VICTIMS

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, legislation has been introduced in Congress, which I support, to provide for compensation for the victims of crime, particularly those who are hospitalized as the result of a criminal attack.

The rights of victims of crime was the subject of an address by Dr. Sidney Hook, professor of philosophy of New York University, at the December 11 commencement convocation of the University of Florida.

Dr. Hook's address discusses our criminal laws as they pertain to the accused, and suggests that changes in the law to give protection and comfort for victims of crime is long overdue.

Dr. Hook's address follows:

THE RIGHTS OF THE VICTIMS

One of the great paradoxes of our time is that as the danger of major international wars recedes and the standards of living rises, the level of domestic violence and crime increases at a frightening rate. We need not rehearse the statistics that confirm the observations and experiences of concerned and intelligent citizens throughout the nation, especially of those who live in or visit our chief metropolitan centers.

Accompanying this increase in violence and crimes of violence has been an impressive, sympathetic concern—some have unfairly called it a preoccupation—with the human and civil rights of criminals and of those accused of crime. Judicial opinions as well as academic treaties on criminology reveal a growing and thoughtful sensitivity to the possibility that the procedures by which defendants in criminal cases are booked and tried, and the evidence against them evaluated, may lead to the miscarriage of justice. Legal practices that were once accepted without any qualms and doubts at a time when the Bill of Rights was adopted to safeguard the basic liberties of the people against possible tyranny of the state, practices that endured far into the 20th century, have been discarded in recent years in consequence of new, ostensibly more enlightened readings or interpretations of our constitutional rights.

There are those who maintain that the alarming increase in crimes of violence is a direct consequence of the liberal modifications of our arrest and indictment procedures, of Supreme Court decisions that allegedly have shackled the law enforcement authorities and resulted in an ever larger number of recidivists or repeaters among criminal defendants. However, such an inference may be a case of *post hoc porpter hoc*. Casual questions in human affairs are notoriously difficult to resolve because of the number of variable involved. Striking correlations are not always evidence of the casual connections. For the purposes of our analysis, it is not necessary either to reject or accept the view—asserted by some with great confidence—concerning the influence of court decisions on criminal behavior. We suspend judgment about the *causes* of the increase in crimes of violence. We take our point of departure only from the indisputable fact that the marked and alarming increase in domestic violence has occurred.

What I propose to do is to raise some fundamental questions about the basic ethical and jurisprudential issues involved. Why should we as citizens be concerned with the human and legal rights of persons accused of breaking the law? Why should we seek to liberalize the processes of law enforcement by raising protective hedges around such persons by making their conviction more difficult?

The answers summarize a library of literature. First, over and above any considerations of humanitarianism, we wish to avoid the danger of convicting the accused on the basis of plausible evidence, who in ultimate fact may be innocent. Second, even if we do not make the presumption of innocence, there is a good reason why we should want to defend and extend the rights of those accused of crime. For hard as it may be for us to imagine, someday we ourselves may be in the dock facing criminal charges of one kind or another. The quirks of fate or hazard of fortune or the hidden purpose of providence—call it what you will!—have caught up even the most straitlaced and proper individuals in tragic and violent situations, as bizarre as they were unexpected. And not all of them have been crimes of passion. There is a perennial and humbling wisdom in the Puritan admonition to his son witnessing a wretch being dragged to the gallows. "There but for the Grace of God go I"! Both Goethe and Tolstoy have acknowledged that there is no crime in the calendar of human folly and beastiality which in some situation they could not conceive themselves committing. And if we pride ourselves on our own immunity from temptation, it may testify not so much to our incorruptibility, as to our lack of imaginative power.

This is the case for the rights of the criminal or the person accused of crime—and a powerful case it is. But before we bring in judgment we must perform an act of imaginative identification much simpler and more natural, and that is with ourselves as victims of crimes of violence. Granted that I am a potential criminal, I am also a potential victim of crime. The statistics of mounting violence show that cases of murder, nonnegligent manslaughter and forcible rape have skyrocketed. It has been estimated that in large metropolitan centers, the risk of becoming the victim of a serious crime has more than doubled in the last decade. Since many crimes of violence are committed by repeaters, the likelihood of my becoming a victim of crime is much greater than the likelihood of my becoming a criminal. Therefore, the protection of my legitimate rights not to be mugged, assaulted or murdered looms much larger in my mind than my legitimate rights as a criminal defendant.

Let us be clear about some things that have become obscure in virtue of our legitimate concern with the rights of criminals and those accused of crime. The potential victim has at least just as much a human right not to be violently molested, interfered with and outraged as the person accused of such crimes has to a fair trial and a skillful defense. As a citizen, most of the rights guaranteed me under the Bill of Rights become nugatory if I am hopelessly crippled by violence, and all of them become extinguished if I am killed. The rights of victims are recognized in some legal jurisdictions which compensate them for disasters in which they become involved through no fault of their own. In England, it has been suggested that the assets of apprehended criminals who have committed capital crimes be distributed to the dependents of their victims. But my point here is that this emerging legal right of the victim is dependent upon the prior recognition of his moral right not to be victimized by the lawbreaker.

No matter how we seek to escape from acknowledging it, there is a direct conflict between the rights of the criminal and of persons accused of crime and the rights of their past and potential victims. In some classes of cases it is clear that the greater the right of the person accused of crime, the less the right of his future victim. For example, the right of a person out on bail for a crime of violence, to receive bail when he is charged with committing the same type of violent offense, and to be granted bail even when he is charged with committing the offense a third time,—a right which he legitimately claims since he has not yet been found guilty of the first offense—conflicts head on with the rights of his victims who can legitimately claim that they suffered this violence because the person at bar enjoyed his constitutional right to be free on bail. Those who fail to see this do not understand the nature of moral decision. A moral decision is not a choice between good and bad, right and wrong—this represents no moral choice but summarizes the completed moral judgment!—but between good and good, right and right, good and right. They also fail to see that this conflict of rights is expressed in our very Bill of Rights in which the free exercise of religion conflicts with the principle of separation of state and church, and in which the right to a free press conflicts with the right to a fair trial. They therefore fail to understand the law-making powers of the Supreme Court, some of whose Justices in the past deceived themselves with the absurd view that the rights of the Bill of Rights are absolute and cannot be abridged under any circumstances. If rights conflict they obviously cannot all be absolute!

Why has this conflict between the rights of the potential criminals and the rights of potential victims not been previously recognized? Among the reasons undoubtedly has been the fact that in all periods when the rights of criminals and those accused of crime were being recognized the incidence of violent crime was relative to preceding periods, declining. Where crime was rife, the human rights of those accused of crime were hardly recognized or ruthlessly sacrificed on the altar of law and order. The recognition and appreciation of the human rights of criminals and those accused of crimes go back a long way, as the right of sanctuary in Biblical times indicates. When crime became a mass phenomenon, however, these rights were honored more in the breach than in the observance.

How, then, should we resolve the conflict between the rights of the criminally accused and the rights of the potential victims? I submit that at the present juncture of events because our cities have become more dangerous to life and limb than the darkest jungle we must give priority to the rights of potential victims. I am prepared to weaken the guarantees and privileges to which I am entitled as a potential criminal or as a defendant in order to strengthen my rights and safeguards as a potential victim. Purely on the basis of probabilities, I am convinced that I run a greater danger of suffering disaster as a potential victim than as a potential criminal or defendant. It is these probabilities, that shift from one historical period to another, that must be the guide to wise, prudent and just administration of the law.

Actually, although the protection of the rights in the Bill of Rights has been extended by the court to state jursdictions of criminal law, originally they were intended to curb primarily the violation of political rights by the Federal government. The judicial legislation that reinterpreted and extended these guarantees to hold for criminal defendants in state courts was in large measure certainly justified because of changes in social needs and the development of more humane attitudes. But today, a humane concern for the increasing number of victims of violent crimes requires a reinterpretation, another emphasis. When we read that preventive detention at the discretion of the judge by denial of bail to repeated offenders charged with extremely violent crimes is denounced by ritualistic liberals as a betrayal of elementary justice, as smacking of the concentration camps of Hitler and Stalin; when we read that a person jailed for the death of 12 persons is freed from jail and the case against him dismissed because the prosecution's only evidence against him was a voluntary confession to the police who had failed to inform him of his rights; when we read that a man who murdered one of three hostages he had taken had a record of 25 arrests ranging from armed robbery to aggravated assult and battery and that at the time of his arrest was free on bail awaiting grand jury action on charges in five separate cases in a two-month period preceding the murder; when we read that a man whose speeding car had been stopped by a motorcycle policeman who without a search warrant forced him to open his trunk that contained the corpses of a woman two children, walks out of court scot-free because the evidence is ruled inadmissible—we can only conclude that the law is an ass. The true wisdom of the law consists in recognizing the conflict of rights and adjudicating the conflict by a decision that strengthens the whole structure of rights in the community. At a time when crime is rife, if the proof of a grave crime like murder is incontestable on the basis of evidence that may be tainted because the law enforcement officers disregarded the niceties of procedure, then legal action

should be taken against these officers by the state or the defendant rather than giving in effect a grant of immunity to a murderer.

We wish to reduce the role of violence in human affairs without sacrificing the principles of justice. The extension of the privileges against self-incrimination to absurd lengths by justices who abandoned common sense in a desire to establish a reputation for liberalism has no parallel in any other national legal jurisdiction. To elicit relevant testimony it has required legislation that has enabled some criminal defendants to purchase an undeserved immunity from punishment for very serious crimes. The statistics of violent crimes show that our situation is much too serious to indulge in sentimentalism at the expense of our fellow citizens. When crimes of violence are rare and infrequent we may justifiably lean over backwards to protect those accused of serious crime from a possible miscarriage of justice. But it is not justice but only compassion that leads us to say that it is better than nine or ninety-nine guilty men escape punishment for their crime than that one innocent man be convicted. For that is certainly not doing justice either to the nine or ninety-nine guilty or to their potential victims. When crime is rampant as it is today, those who invoke this dictum to justify strengthening the rights of those accused of violent crime at the expense of the rights of the potential victims of violent crimes, are not even entitled to the self-righteous claim that they are moved by compassion. Compassion, if it is a virtue, must itself be balanced and equitable. Where, we ask, is their compassion for the myriad victims of violent crime? At what point, we ask, do the victims come into the ethical reckoning?

There are no easy answers. What I am proposing is a reconsideration of some of our basic jurisprudential assumptions in this age of growing violent crime. In times of crises we suspend certain traditional guarantees. We can avoid such crises and the panic response to them by reflective action—measured, firm and humane. This requires a rethinking of our first principles in the ethics of law and punishment, a more pragmatic consideration of the historical context, and a greater awareness of social needs.

Liberalism in social life may be defined as devotion to human freedom pursued and tested by the arts of intelligence. But not all who call themselves liberal understand either themselves or the doctrines they profess. In other contexts, I have referred to "ritualistic liberals" as those who think they can be liberal without being intelligent. A particularly conspicuous species of the genus of ritualistic liberal is found among those writers on crime and law enforcement for whom the victims of crime are only incidental rather than central to the problem of crime prevention. Such writers in their mournful asessment of tragic encounters between law breakers and law officers tend to equate with a fine moral impartiality those who are slain with those who lose their life preventing it. Both kinds of fatality are deplored but strangely enough as if there were no moral distinction between them.

A similar absurd equation is being drawn today by those who proclaim that "the *fear* of crime is almost as serious a problem as the crime problem itself"—the implication being that the fear of crime is almost as great a threat to society as crime. Such a judgment is as bizarre as it is irresponsible. Where crime exists, especially violent crime of unusual magnitude, fear of crime is natural and reasonable, and not a form of hysteria or paranoia. Only in the absence of genuine persecution can a person be called a victim of a persecution complex. Only in the absence of widespread crime is the fear of crime a likely sign of hysteria.

In a dangerous world, the human race might not survive unless there were intelligent fear. That is why, e.g., intelligent fear of nuclear warfare, of large scale global pollution, and of the grim effects of the population explosion is justified. Only a sociological mad-hatter would say that the fear of a nuclear holocaust is almost as serious a problem as the threat of one, or the fear of the population explosion as dangerous as the pressure of unrestricted growth.

Let us have done with extremists who would mindlessly substitute either toughness or permissiveness for intelligence in their simplistic response to the mounting crime wave. A fruitful way to begin the quest for intelligent solutions is to reorient our thinking in the current period to the right of the potential victims of crime, and to the task of reducing their number and suffering. In this way we can best serve the interests both of justice and compassion.

SIR MALCOLM STODDART-SCOTT HONORED

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, it has been a great privilege for my wife and me for many years to enjoy the warm friendship of a distinguished member of the British House of Commons, Sir Malcolm Stoddart-Scott, his lovely wife, Lady Stoddart-Scott, his able son, John, and his charming daughter, Carolyn. We have exchanged visits over the years and my wife and I have found the friendship of Sir Malcolm and Lady Stoddart-Scott and their family to be a great source of delight.

Sir Malcolm has had a distinguished professional career as a physician, as a colonel in the British Army during World War II, as an outstanding business and civic leader, and now, for more than 26 years, as an eminent and highly esteemed member of the British House of Commons as a member of the Conservative Party. Sir Malcolm for many years headed the British Inter-Parliamentary Union delegation and performed distinguished service for his country and for the free parliamentary system in the world. He was only recently asked by the Speaker of the House of Commons to chair a British delegation making an extended tour of Africa. On April 14, 1971, Sir Malcolm was awarded the Freedom of the City of Ripon, an ancient and honored city in his constituency in that part of England in the vicinity of the great cities of York and Leeds, among others. On the occasion of being given the Freedom of the City of Ripon, Sir Malcolm delivered a very learned and memorable address upon the great and honorable history of Ripon; its contribution toward British leadership and life.

It is fascinating to review in Sir Malcolm's magnificent address the long history of Ripon, the distinguished achievements of so many of its citizens, and the important role that Ripon has played in the life of Great Britain. Sir Malcolm, with great honor and eminence, carries on the illustrious role of leadership in British national life which members of the House of Commons from Ripon have so long discharged. We all recognize that a part of the glory and greatness of the British people is to be found in the deep and ancient roots of their cities and institutions, and the richness which derives from such long continuity.

Sir Malcolm and Lady Stoddart-Scott have visited many times in Washington and their friends here will share Mrs. Pepper's and my delight upon Sir Malcolm's being awarded the freedom of the great city of Ripon and they and, I am sure, all of my colleagues will be immensely inspired to read the fascinating address in which Sir Malcolm responded so fittingly to the bestowal of this high honor. I, therefore, Mr. Speaker, include Sir Malcolm's able address in the body of the RECORD at this point following my remarks:

SPEECH MADE BY COLONEL SIR MALCOLM STODDART-SCOTT

Mr. Mayor, Members of the Ripon City Council, My Lords, Ladies and Gentlemen:

I beg you to accept my sincere acknowledgement and grateful thanks for the kind expression of congratulation and goodwill which you have conveyed to me. I cannot hide from you the fact that the Freedom of your City which you have bestowed upon me this afternoon gives me the greatest possible pleasure. To be a Freeman of this famous, ancient and unique city is a privilege which has only rarely been conferred upon individuals and is, therefore, an enormous honour of which I am most appreciative and grateful.

This ancient city clustered around the Mother Church of Ripon, whose power and influence was effective from the 7th Century, is one of the most ancient ecclesiastic districts in England. It is not inappropriate to remind ourselves that Ripon was one of the first English cities to which a Civic Institution was granted. In the whole country, only York can claim to be older and senior to Ripon. For many centuries you have possessed the institutions and organisations by which men and women have been trained to discharge the great and important duties of public life. Such a past has imposed upon very many individuals great responsibilities, many sacrifices and much devoted service. For to govern is to serve.

Ripon city was first incorporated in the 14th year of the ever memorable King Alfred the Great—in the year 886, many years before the Norman Conquest. It is said about King Alfred that "he changed the whole face of the Kingdom into better form; dividing the provinces into counties and the counties into Tythings and Parishes".

Out of Local Government Institutions there grew here in Ripon, as elsewhere in Britain, the right to Parliamentary Representation. It was Edward 1st who availed himself of the fruitful conceptions of that great man Simon de Montfort. He called to the Council of the Nation, meeting in London, representatives from the cities and boroughs of England. To the first Parliament, Ripon was asked to send two members, and in most Parliaments since 1295, Ripon has had 1, 2 or 3 Members.

Parliamentary representation in early times was considered more of a burden than a privilege or an honour. Those who sent the Representatives to Parliament were obliged to maintain them. Representatives had little say in making or amending laws. The main cause for summoning Parliament was to give consent to taxes proposed, or to taxes which had already been imposed. Over the past 7 centuries, over 90 individuals have served this City in Parliament: and we are honoured, Mr. Mayor, to have with us to-day, descendants of more than a dozen of my predecessors. Many of the Members for Ripon have traversed the corridors of power and some have found an abode in the Hall of Fame.

Before the Reform Bill of 1832, there was no thought about democracy in the return

of M.P.s for Ripon. Up to Elizabethan times, Members were nominated by the Archbishop of York and the Lord President of the Council in the North. In the 18th century, the right of nomination for the 2 M.P.s for Ripon lay in the hands of the 146 tenants of the Aislabie family who lived at Studley. This family controlled the representation with the result that there was no contested election for 118 years between 1714–1832. In spite of this undemocratic method of selection, Ripon was frequently represented by distinguished, courageous and notable Members of Parliament.

Members of Parliament for Ripon have filled all the important offices of State, including Foreign Secretaries, Colonial Secretaries, Home Secretaries, Secretaries of State for War, for India; a President of the Board of Trade, an Attorney General, a Lord Chancellor of Ireland, 2 Lord Chancellors of Great Britain, 5 Chancellors of the Exchequer, 2 Viceroys of India, and a Prime Minister.

The Hon. George Gosham represented the City 1880–1885; he was a great decliner of offices. He declined to be Secretary of State for War. He declined an invitation to be Speaker of the House of Commons, he declined an even greater honour—to be Viceroy of India, but ultimately, he replaced Lord Randolph Churchill as Chancellor of the Exchequer. In 1880 at the general election, he defeated Francis Darwin, who was squire of Creskeld in the Parish of Arthington. After his defeat, Mr. Darwin devoted himself to the work of the newly formed West Riding County Council, and played a much larger part in local affairs than the present overworked, inadequate and retiring Squire of Creskeld has been able to do.

Thomas Pemberton represented Ripon at Westminster from 1835 to 1843, he too, was noted for his refusal to accept honours and appointments. In 1843 he declined Sir Robert Peel's offer of the Solicitor Generalship. He also declined an invitation from the Lord Chancellor to become a Judge. Four successive Governments offered him a peerage. Lord Derby pressed him to become Lord Chancellor. It was said about him that 'For 20 years without ever receiving or desiring a shilling of public money, he rendered to the public unnoticed services of the highest imperial value'.

Sir Charles Wood a distinguished Statesman who ultimately became Viscount Halifax in 1865 became M.P. for Ripon after having represented Grimsby and Halifax in previous Parliaments. He filled the offices of Secretary of State for India, President of the Board of Trade, first Lord of the Admiralty, Lord Privy Seal and Chancellor of the Exchequer. He is said to have been a good administrator, a man of sound judgement, and his weight in the House of Commons was due to his knowledge and public affairs.

Hon. Edward Wood a grandson of Sir Charles Wood, represented Ripon for 15 years, and was in the unusual position in this century of being returned unopposed at 4 general elections. He filled many important posts between the two World Wars and during the last war. He was Secretary of State for War, Foreign Secretary, our Ambassador in Washington and a Member of Mr. Churchill's War Cabinet. In 1924 he was created Lord Irwin and became Viceroy of India, where he is still remembered as 'the great Christian Viceroy'.

To sit in Parliament in the 16, 17 and 18th centuries, called for courage, fortitude and a spirit of adventure, which is not demanded of Parliamentarians today. Sir John Mallory was the son and grandson of Members of Parliament for Ripon, as well as being M.P. for Ripon himself. He was also Governor of Skipton Castle and commanded a Regiment of Dragoons. In 1643 he distinguished himself by surprising the Parliamentary Troops holding Ripon and succeeded in capturing his Constituency in the name of the King. Three years later in 1646, Ripon returned Sir John Bourchier who was in the opposite camp of Sir John Mallory. Sir John Bourchier was one of the Judges when Charles I stood for trial in Westminster Hall. He, along with Oliver Cromwell and 58 other M.P.s signed King Charles' death warrant, an act which demanded courage, determination and fortitude. After the Restoration, the Speaker acquainted the House of Commons of his surrender in 1660. He died shortly afterwards, asserting to the last 'the justice of the King's condemnation'. Those were truly trying times for Parliamentarians.

The South Sea Bubble was a tragedy at the beginning of the 18th century of Rolls Royce proportions. The South Sea Company, by Act of Parliament, obtained a monopoly of trading in the Pacific Ocean and on the East Coast of South America. In 1720 the Company made an offer to pay off the whole of the National Debt for certain exclusive commercial privileges. The Public became inflamed by the brilliant prospects of the gold and silver Eldorados awaiting exploitation in South America; they crowded in the rush to purchase shares. A £100 share sold at £1000. Ultimately, the eyes of the public were opened to the recklessness of this scheme, and the shares that had cost £1000 slumped to £135. Many people were ruined, and the failure assumed proportions of a gigantic financial disaster. At that time John Aislabie was the M.P. for Ripon. He became Chancellor of the Exchequer in 1718 and was the chief promoter of the South Sea Company. The Company crashed in 1720, Aislabie resigned his office early in 1721. In March that year, the House of Commons found him guilty of the 'most notorious, dangerous and infamous corruption'. He was expelled from the House of Commons and committed to the Tower. It was largely thanks to Robert Walpole that he was released and was allowed to retain all the property he possessed before he became Chancellor of the Exchequer in 1718. So he fared much better than most of his colleagues. On his release, he devoted himself to his Yorkshire estate at Studley and local affairs. He was twice Mayor of Ripon and applied himself to the elegant and delightful art of landscape gardening. The lakes, fountains, the terraces and statues, the temples, the shady walks and the velvet lawns at Studley were his creation.

John Aislabie's son *William* on attaining his majority, took his Father's place in the House of Commons and sat in every Parliament until his death at the age of 81, having been M.P. for Ripon for 60 years. Only one M.P. has exceeded William Aislabie in his length of service in Parliament—Charles Pelham Villers, who was an M.P. for 63 years. Like his father, William Aislable was twice Mayor of Ripon. It is said about him 'that the contemplation of the beauties of nature and rural occupations proved his chief and unceasing delight'. He had the delicity of adding to his vast possessions, the magnificent remains of Fountains Abbey, one of the most renowned structures which enrich the beauty of the valleys of England. Every man and woman who has eyes to see and a heart to feel is indebted to William Aislabie for the preservation from further decay, of this famous Abbey, which was described in 1733 by the poet Thomas Gent as 'That noble work in ruinous perfection'.

Ripon was represented at Westminster from 1807–1827 by Frederick John Robinson who was widely known as Prosperity Robinson. He held many public offices, Secretary State for the Colonies, Lord Privy Seal, but he owed his nickname to his success as Chancellor of the Exchequer. In his first budget in 1823, he had a large surplus. He was able to reduce the National Debt and lower taxation. He halved the window tax. His budget speech was greeted 'With demonstrations of applause more loud and more general than ever before greeted a Ministerial statement on finance'. He gave £40,000 towards building the British Museum. He spent £57,000 on purchasing the Angerstein collection of pictures which formed the basis of the National Gallery. In his second budget in 1824 he again reduced taxation and paid off more of the National Debt. He spent £500,000 on building churches, and £300,000 on restoring Windsor Castle. In his third budget in 1825, he congratulated the House of Commons on the prosperity of the country and reduced duties on iron, hemp, coffee, sugar, wine, spirits and cider. On the death of Canning in 1827, Mr. Prosperity Robinson was invited by the King to become Prime Minister and form an administration. He was also created Viscount Goderich. Alas, he was P.M. for 112 days only. He was unable to preserve unity among his Cabinet colleagues, so handed in his seal of office to King George 4th and wept bitter tears on the King's shoulder. He was succeeded in office by the Duke of Wellington. It is said that Viscount Goderich was probably the weakest P.M. who ever held office in this country and was the only one who never faced Parliament in this capacity. Whilst Viscount Goderich was spending those barren, sterile and abortive days at 10 Downing Street, Lady Goderich found her stay in this famous house more fruitful and productive. On Oct. 24th, 1827 she gave birth to a son, George Frederick Samuel Robinson, probably the only child of a serving P.M. to be born at 10 Downing St.

George Robinson became M.P. for Hull, Huddersfield and the West Riding. He was Secretary of State for War, Secretary of State for India, Lord President of the Council, First Lord of the Admiralty. He succeeded to his father's titles in 1859. He had also been created the Earl of Ripon. The new Earl of Ripon became the Marquess of Ripon for his services in successfully negotiating the Washington Treaty. In 1880 he became Viceroy of India. After 4 years in India, he returned to Ripon and took a very active part in local affairs. Like his father, he became Mayor of Ripon and in 1888 he was elected the first chairman of the newly formed West Riding County Council, on which he represented Ripon for 6 years.

As the oak of the forest grows slowly but surely, so self government in Britain has grown and expanded slowly, until it has become a dominant power. So a system of municipal rule as well as Government rule has evolved. Our system has proved to be the freest and most equitable that the world has yet seen. Detailed records are available of the work your Councils have done in the last 600 years or more. Up to 1604 your Council was presided over by a Wakeman, since that date many distinguished and public spirited men and women have been Aldermen and Councillors of your City. More than a dozen of those who have served as Mayor have also served your City in Parliament. Now we live in times of great change in local government, there are to be changes in boundaries, changes in powers, and changes in the financing of local authorities. No one at this moment can foresee with accuracy the outcome of the imminent reorganization.

It would be a thousand pities if the hundreds of years of history of local government in Ripon was lost, or the enormous part the Mother Church played in creating and administering this ancient city, was not recorded. I have sketched only briefly a very small fraction of your distinguished Parliamentary history. Your city has an industrial story which should be told—the textile industry, the paint and varnish industry. Your city was famed for the best and most curious spurs in England, from whence came the proverbial saying to express a man's honesty and fidelity "That such a person is as true as Ripon spurs." There is also a military history which should be recorded. Your free Grammar School (and may it always remain

free) incorporated by Queen Mary in 1555, and your College of Education, now more than 110 years old, have many records, achievements and struggles, which must not get lost in the dust and must of time. May I be forgiven Mr. Mayor for making a suggestion. In order that there shall be an even closer contact between these educational establishments and your city, your Council might consider appointing an Honorary Historian from the Staffs, in order that the history, achievements and the records of every aspect of your city life can be preserved, recorded for all time, and made known.

It is right to cherish memories of the past, but we who live now have to labour manfully and wisely to fulfill the duties that lie in our hands today and try to foresee and face the vast problems of tomorrow. I believe we must speak with reverence of the past, as it is the mother of our present and a guide to the future. Someone must be given the task of telling us of the achievements, the mistakes and the lessons from the past and to help us in the days ahead. I have, this afternoon, dealt almost entirely with the past. May I be forgiven if for two minutes I speak briefly of the two great overwhelming problems which I see facing our nation, our countryside, our towns, our institutions, and indeed, the world. I note that through the centuries your City Council has foreseen these problems and taken action. The two overwhelming problems which must be dealt with immediately are pollution and over population. Your city through the ages has frequently taken steps to remove pollution from your streets and your river.

As far back as 1466 (over 500 years ago) a man was fined 3/4d. for putting lime skins into the water of the Skell. In 1507 Robert Kettlewell and John Middleton were chosen as Inspectors of the watercourse of the Nether Skell "for the conservation of the purity of the same". In 1509 a bye law was renewed that prevented beast bags, entrails being washed with the water of the Skell or next to it. Two men were also fined for having led a waggon of dung drawn by oxen through the Skell. In 1702 another order was remade by your Council to punish people who suffered dung hills to lie in the street. In 1786 your Council decided that the Street Cryer should give information against people who defaced, damaged or destroyed guide posts and rubbish posts and should impound pigs going about the streets or highways. Immediately after the passing of the Nuisance Removal Act in 1855, your Council appointed John Hall as the first Sanitary Inspector at a salary of £10 per year. Over population is a more difficult problem, but somehow Ripon has found the solution; in spite of the fact that Robert Ogiby who died in 1768 at the age of 114 having been married for 73 years, left behind, 25 children, 12 boys and 13 girls. In spite of the fact that Mrs. Lupton of Stammer Gate who died in 1718 at the age of 74 was mother, grandmother and great grandmother of 150 children. In spite of Mrs. Brown who died in 1840 having been confined 14 times, and giving birth to four sets of twins. In spite of these remarkable feats of productivity and fruitfulness, Ripon's population has not even doubled in the last 100 years, whilst the rest of the country has increased sixfold. Now we are told, the world's population will double in the next 35 years, from 3600m. to 7200m. If true, then starvation and pollution of the earth, air and water is inevitable.

Mankind is now faced with the greatest challenge in the world's history. A challenge, which in the past, Ripon seems somehow to have met and overcome. May you continue to deal with this threat to mankind, and especially to our island, which is already the most thickly populated part of this small world.

I hope, Mr. Mayor, you will permit me to express my sincere wishes for the prosperity of your City, and to add my hope that we may be enabled each in our respective ways, to promote the success and welfare of this City.

The granting of the Freedom of your ancient, unique and charming City, is a signal honour which I and my family will always be proud of and cherish.

I am most grateful to you Sir, and your Council for this great honour. I only hope I am worthy of it.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. NICHOLS (at the request of Mr. O'NEILL), for today, on account of official business.

Mr. BOW (at the request of Mr. GERALD R. FORD), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MOORHEAD, for 3 minutes, today, and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. MCCOLLISTER), to revise and extend their remarks, and to include extraneous matter:)

Mr. SEBELIUS, today, for 10 minutes.

Mr. BLACKBURN, today, for 15 minutes.

Mr. MILLER of Ohio, today, for 5 minutes.

Mr. KEMP, on February 22, 1972, for 30 minutes.

Mr. YOUNG of Florida, today, for 5 minutes.

(The following Members (at the request of Mr. DENHOLM) and to revise and extend their remarks and include extraneous matter:)

Mr. DENT, for 60 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. FRASER, for 5 minutes, today.

Mr. ADDABBO, for 10 minutes, today.

Mr. ASPIN, for 10 minutes, today.

Mr. COTTER, for 10 minutes, today.

Mr. ASPIN, for 10 minutes, on Monday, February 21.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. ASPINALL and to include extraneous matter.

(The following Members (at the request of Mr. MCCOLLISTER) and to include extraneous matter:)

Mr. ZION.

Mr. SCHERLE in 10 instances.

Mr. PRICE of Texas in three instances.

Mr. DERWINSKI in three instances.

Mr. DEVINE.

Mr. WYMAN in two instances.

Mrs. HECKLER of Massachusetts in two instances.

Mr. MCCLORY.

Mr. MORSE.

Mr. SNYDER.

Mr. MCCOLLISTER in three instances.

Mr. CONABLE.

Mr. PETTIS.

Mr. DELLENBACK in two instances.

Mr. HASTINGS in two instances.

Mr. WINN.

Mr. FINDLEY.

Mr. HANSEN of Idaho.

Mr. TERRY.

Mr. ARENDS.

Mr. RHODES in five instances.

Mr. MINSHALL.

Mr. MILLS of Maryland in two instances.

Mr. MCDONALD of Michigan.

Mr. RAILSBACK.

Mr. SCHMITZ in two instances.

Mr. MCKINNEY.

Mr. BAKER.

Mr. GROSS.

Mr. DUNCAN in two instances.

(The following Members (at the request of Mr. DENHOLM) and to include extraneous matter:)

Mr. RARICK in three instances.

Mr. GONZALEZ in two instances.

Mr. HAGAN in three instances.

Mr. ROGERS in six instances.

Mr. STEED.

Mr. FOUNTAIN in two instances.

Mr. KLUCZYNSKI in three instances.

Mr. HOWARD.

Mr. MATSUNAGA in three instances.

Mr. CLAY in six instances.

Mr. GARMATZ.

Mr. HARRINGTON in three instances.

Mrs. HICKS of Massachusetts in two instances.

Mr. FISHER in three instances.

Mr. PURCELL.

Mr. GRIFFIN.

Mr. RANGEL in four instances.

Mr. STOKES in three instances.

Mr. BRASCO in two instances.

Mr. CARNEY in two instances.

Mr. CAREY of New York in two instances.

Mr. ROYBAL in 10 instances.

Mr. BURTON in two instances.

Mr. DORN in two instances.

Mr. BARRETT.

Mr. ROE in two instances.

Mr. PATTEN.

Mr. BINGHAM in three instances.

Mrs. SULLIVAN.

Mr. O'NEILL in six instances.

Mr. MINISH.

Mr. COTTER.

Mr. BROOKS.

Mr. HUNGATE in two instances.

Mr. WALDIE in six instances.

Mr. SLACK.

Mr. JAMES V. STANTON.

Mr. JACOBS in five instances.

Mr. HAMILTON in two instances.

Mr. PEPPER in three instances.

Mr. RONCALIO in six instances.

Mr. PRICE of Illinois.

Mr. FRASER in five instances.

Mr. MOORHEAD in two instances.

Mr. RYAN in three instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 596. An act to require that international agreements other than treaties, hereafter entered into by the United States, be transmitted to the Congress within 60 days after the execution thereof; to the Committee on Foreign Affairs.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 3122. An act to extend certain provisions of the Federal Water Pollution Control Act through June 30, 1972, and others through April 30, 1972.

ADJOURNMENT

Mr. DENHOLM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 43 minutes p.m.), under its previous order, the House adjourned until Monday, February 21, 1972, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1627. A letter from the Secretary of the Navy, transmitting a report of the number of officers in the Navy and Marine Corps above the grade of lieutenant commander or major who are entitled to flight incentive pay, and the average monthly incentive pay authorized for the 6 months ended November 30, 1971, pursuant to 37 U.S.C. 301(g); to the Committee on Armed Services.

1628. A letter from the Assistant Secretary of State for Congressional Relations, transmitting the semiannual report of third country transfers of U.S. origin defense articles to which consent has been granted under the provisions of section 3(a)(2) of the Foreign Military Sales Act and section 505(a) of the Foreign Assistance Act of 1961, as amended, covering the period ended December 31, 1971; to the Committee on Foreign Affairs.

1629. A letter from the Secretary of the Interior, transmitting the Annual Report of the Office of Coal Research for 1972, pursuant to Public Law 86-599; to the Committee on Interior and Insular Affairs.

1630. A letter from the Attorney General, transmitting a draft of proposed legislation to implement the Convention on the Prevention and Punishment of the Crime of Genocide; to the Committee on the Judiciary.

1631. A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to promote the care and treatment of veterans in State veterans' homes; to the Committee on Veterans' Affairs.

RECEIVED FROM THE COMPTROLLER GENERAL

1632. A letter from the Comptroller General of the United States, transmitting a report that greater conservation benefits could be attained under the rural environmental assistance program administered by the Agricultural Stabilization and Conservation Service, Department of Agriculture; to the Committee on Government Operations.

1633. A letter from the Comptroller General of the United States, transmitting a report on more specific policies and procedures needed for determining royalties on oil from leased Federal lands, under the supervision of the Geological Survey of the Department of the Interior; to the Committee on Government Operations.

1634. A letter from the Comptroller General of the United States, transmitting a report on problems being experienced in the dependent shelter program administered by the Department of Defense in the Republic of Vietnam; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HALPERN: Committee on Foreign Affairs. Report on the international narcotics trade and its relation to the United States; with amendment (Rept. 92-836). Referred to the Committee of the Whole House on the State of the Union.

Mr. WALDIE: Committee on Post Office and Civil Service. H.R. 7060. A bill to include firefighters within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in certain hazardous occupations; with amendment (Rept. 92-840). Referred to the Committee of the Whole House on the State of the Union.

Mr. WALDIE: Committee on Post Office and Civil Service. H.R. 12202. A bill to increase the contribution of the Federal Government to the costs of health benefits, and for other purposes; with amendment (Rept. 92-841). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DENNIS: Committee on the Judiciary. H.R. 4050. A bill for the relief of Maria Manuela da Jesus Gambino; with amendments (Rept. 92-837). Referred to the Committee of the Whole House.

Mr. McKEVITT: Committee on the Judiciary. H.R. 6504. A bill for the relief of Margarida Aldora Correia dos Reis; with amendment (Rept. 92-838). Referred to the Committee of the Whole House.

Mr. HOGAN: Committee on the Judiciary. H.R. 10142. A bill for the relief of Emilia Ruffolo; with amendment (Rept. 92-839). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROOKS:

H.R. 13200. A bill to amend the Federal Property and Administrative Services Act of 1949 to improve the quality of information available to Federal policymaking officials in matters involving data processing technology, and for other purposes; to the Committee on Government Operations.

By Mr. SAYLOR (for himself, Mr. HOSMER, Mr. SKUBITZ, Mr. KYL, Mr. DON H. CLAUSEN, Mr. RUPPE, Mr. SEBELIUS, and Mr. CÓRDOVA):

H.R. 13201. A bill to authorize the Secretary of the Interior to establish the John D. Rockefeller, Jr. Memorial Parkway, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ASHBROOK:

H.R. 13202. A bill to extinguish Federal court jurisdiction to require attendance at a particular school of any student because of race, color, creed, or sex; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 13203. A bill to ban the usage of diethylstilbestrol (DES) as a growth promotant; to the Committee on Interstate and Foreign Commerce.

By Mr. BINGHAM (for himself, Mr. BURTON, Mr. CAREY of New York, Mr. HARRINGTON, Mr. HATHAWAY, Mr. SARBANES, and Mr. MATSUNAGA):

H.R. 13204. A bill to authorize the Secretary of State to furnish assistance for the resettlement of Soviet Jewish refugees in Israel; to the Committee on Foreign Affairs.

By Mr. BINGHAM (for himself, Mr. ASPIN, Mr. DELLUMS, Mr. EILBERG, Mr. HALPERN, Mr. HELSTOSKI, Mr. MATSUNAGA, Mr. METCALFE, Mr. MITCHELL, Mr. MORSE, Mr. NIX, Mr. PEPPER, Mr. ROSENTHAL, Mr. RYAN, and Mr. SCHEUER):

H.R. 13205. A bill to provide Federal citizen anticrime patrol assistance grants to residents' organizations; to the Committee on the Judiciary.

By Mr. BLACKBURN:

H.R. 13206. A bill to establish a national flood-plain policy and to authorize the Secretary of the Interior, in cooperation with Federal agencies and the States, to encourage the dedication of the Nation's flood plains as natural floodways, to protect, conserve, and restore their natural functions and resources, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 13207. A bill to authorize the Secretary of the Interior to further develop a program for the designation and protection of additional natural areas throughout the Nation, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 13208. A bill to amend the Uniform Time Act of 1966 to advance to the last Sunday, before the first Monday in September the conclusion of the daylight savings time period of the year; to the Committee on Interstate and Foreign Commerce.

By Mr. CHAPPELL:

H.R. 13209. A bill to authorize the Attorney General to exchange criminal record information with certain State and local agencies; to the Committee on the Judiciary.

By Mr. DANIELS of New Jersey:

H.R. 13210. A bill to amend the Education of the Handicapped Act to provide tutorial and related instructional services for homebound children through the employment of college students, particularly veterans and other students who themselves are handicapped; to the Committee on Education and Labor.

By Mr. DINGELL:

H.R. 13211. A bill to amend the Clean Air Act to authorize the Administrator of the Environmental Protection Agency to establish emission standards for motor vehicles in actual use and to require States to establish programs for inspection and testing of such vehicles to enforce compliance with such standards; to the Committee on Interstate and Foreign Commerce.

By Mr. EDWARDS of Alabama:

H.R. 13212. A bill to amend the National Trails System Act to authorize a feasibility study relating to the Bartram Trail in Alabama; to the Committee on Interior and Insular Affairs.

By Mr. FRASER (for himself, Mr. DRINAN, Mr. RODINO, Mr. MOSS, Mr. ANDERSON of Illinois, Mr. HICKS of Washington, Mrs. ABZUG, Mr. HARRINGTON, Mr. REES, Mr. RANGEL, Mr. GREEN of Pennsylvania, Mr. TIERNAN, Mr. ANDERSON of California, Mr. GARMATZ, Mr. PODELL, Mr. PRICE of Illinois, Mrs. HANSEN of Washington, Mr. MITCHELL, Mr. SCHWENGEL, Mr. GALLAGHER, Mr. LEGGETT, Mr. FORSYTHE, Mr. MAZZOLI, Mr. MOORHEAD, and Mr. HELSTOSKI):

H.R. 13213. A bill to require that an addition $4 per month (reflecting post-1970 across-the-board increases in social security and railroad retirement benefits) be passed along to public assistance recipients, either

by disregarding such amount in determining their need or otherwise; to the Committee on Ways and Means.

By Mr. FRASER (for himself, Mr. BADILLO, Mr. EDWARDS of California, Mr. O'KONSKI, Mr. CONYERS, Mr. MELCHER, Mr. HOWARD, Mr. REUSS, Mr. MOLLOHAN, Mr. WALDIE, Mr. BOLLING, Mr. MILLER of California, Mr. ROSENTHAL, Mr. RARICK, Mr. HALPERN, Mr. THOMPSON of New Jersey, Mr. DOWDY, Mr. DELLUMS, Mr. O'HARA, Mr. BOLAND, Mr. KOCH, Mr. RIEGLE, Mr. MIKVA, Mr. ROY, and Mr. SCHEUER):

H.R. 13214. A bill to require that an additional $4 per month (reflecting post-1970 across-the-board increases in social security and railroad retirement benefits) be passed along to public assistance recipients, either by disregarding such amount in determining their need or otherwise; to the Committee on Ways and Means.

By Mr. FRASER (for himself, Mr. DANIELSON, Mr. DOW, Mr. MURPHY of New York, Mr. SEIBERLING, Mr. BERGLAND, Mr. MORSE, Mr. NEDZI, Mr. ST GERMAIN, Mr. MEEDS, Mr. BEGICH, Mr. STOKES, Mr. BINGHAM, Mr. SARBANES, and Mr. CULVER):

H.R. 13215. A bill to require that an additional $4 per month (reflecting post-1970 across-the-board increases in social security and railroad retirement benefits) be passed along to public assistance recipients, either by disregarding such amount in determining their need or otherwise; to the Committee on Ways and Means.

By Mr. GAYDOS:

H.R. 13216. A bill to establish a Federal program to encourage the voluntary donation of pure and safe blood, to require licensing and inspection of all blood banks, and to establish a national registry of blood donors; to the Committee on Interstate and Foreign Commerce.

H.R. 13217. A bill to provide for orderly trade in antifriction ball and roller bearings and parts thereof; to the Committee on Ways and Means.

By Mr. GRIFFIN:

H.R. 13218. A bill to authorize the Secretary of the Army to investigate, plan, and construct projects for the control of streambank erosion; to the Committee on Public Works.

By Mr. HASTINGS:

H.R. 13219. A bill to amend the Public Health Service Act so as to provide for the prevention and control of venereal disease; to the Committee on Interstate and Foreign Commerce.

By Mr. HEINZ:

H.R. 13220. A bill to provide financial assistance for the construction and operation of senior citizens' community centers, and for other purposes; to the Committee on Education and Labor.

By Mr. HELSTOSKI:

H.R. 13221. A bill to amend section 217(c) of the Interstate Commerce Act to require common carriers by motor vehicle engaged in the transportation of passengers to file and post notice of any proposed tariff change at least 60 days before such change becomes effective, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 13222. A bill to require the National Railroad Passenger Corp. to provide free or reduced-rate railroad transportation to retired railroad employees and their dependents on the same basis that such transportation was available to such employees and dependents on the date of enactment of the Rail Passenger Service Act of 1970; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Pennsylvania:

H.R. 13223. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. KOCH (for himself, Mr. CELLER, Mrs. ABZUG, Mr. BIAGGI, Mr. BRASCO, Mr. DELANEY, and Mr. DULSKI):

H.R. 13224. A bill to amend chapter 3 of title 3, United States Code, to provide for the protection of foreign diplomatic missions; to the Committee on Public Works.

By Mr. McDADE:

H.R. 13225. A bill to authorize an increase in land acquisition funds for Delaware Water Gap National Recreation Area, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 13226. A bill to assure protection of environmental values while facilitating construction of needed electric power supply facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 13227. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. MELCHER:

H.R. 13228. A bill to amend the Occupational Safety and Health Act of 1970 to require the Secretary of Labor to recognize the difference in hazards to employees between the heavy construction industry and the light residential construction industry; to the Committee on Education and Labor.

H.R. 13229. A bill to amend chapter 15 of title 38, United States Code, to provide for the payment of pensions to World War I veterans and their widows, subject to $3,000 and $4,200 annual income limitations; to provide for such veterans a certain priority in entitlement to hospitalization and medical care; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MIKVA:

H.R. 13230. A bill to reform parole procedures for adult and youthful offenders; to the Committee on the Judiciary.

By Mr. MILLS of Maryland:

H.R. 13231. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. NIX:

H.R. 13232. A bill to promote international cooperation in United Nations efforts to protect the world's oceans and atmosphere; to the Committee on Foreign Affairs.

H.R. 13233. A bill to authorize the Secretary of State to furnish assistance for the resettlement of Soviet Jewish refugees in Israel; to the Committee on Foreign Affairs.

By Mr. PATTEN:

H.R. 13234. A bill to amend title XVII of the Social Security Act to provide financial assistance to individuals suffering from chronic kidney disease who are unable to pay the costs of necessary treatment, and to authorize project grants to increase the availability and effectiveness of such treatment; to the Committee on Ways and Means.

By Mr. PRYOR of Arkansas:

H.R. 13235. A bill to amend the Federal Trade Commission Act to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. QUILLEN:

H.R. 13236. A bill to amend title 38 of the United States Code to increase the pension payable to Spanish-American War veterans and the widows and children of such veterans; to the Committee on Veterans' Affairs.

By Mr. ST GERMAIN:

H.R. 13237. A bill to promote development and expansion of community schools throughout the United States; to the Committee on Education and Labor.

By Mr. SPRINGER:

H.R. 13238. A bill to amend the Federal Trade Commission Act (15 U.S.C. 41) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. STEELE (for himself, Mr. HALPERN, Mrs. GRASSO, Mr. MADDEN, Mr. THONE, Mr. McDADE, Mr. PIKE, Mrs. HICKS of Massachusetts, Mr. NICHOLS, Mrs. ABZUG, Mr. HARRINGTON, Mr. MORSE, Mr. BINGHAM, Mr. DOW, Mr. PEYSER, Mr. HASTINGS, Mr. HEINZ, Mr. HOWARD, Mr. ALEXANDER, and Mr. LENT):

H.R. 13239. A bill to provide for the creation of the National Fire Academy, and for other purposes; to the Committee on Science and Astronautics.

By Mr. STEELE (for himself, Mr. HALPERN, Mrs. GRASSO, Mr. MADDEN, Mr. THONE Mr. McDADE, Mr. PIKE, Mrs. HICKS of Massachusetts, Mr. NICHOLS, Mrs. ABZUG, Mr. HARRINGTON, Mr. MORSE, Mr. BINGHAM, Mr. DOW, Mr. PEYSER, Mr. HASTINGS, Mr. HEINZ, Mr. HOWARD, Mr. ALEXANDER, and Mr. KYROS):

H.R. 13240. A bill to provide the Secretary of Commerce with the authority to make grants to States, counties, and local communities to pay for up to one-half of the costs of training programs for firemen; to the Committee on Science and Astronautics.

By Mr. STEELE (for himself, Mr. HALPERN, Mrs. GRASSO, Mr. MADDEN, Mr. THONE, Mr. McDADE, Mr. PIKE, Mrs. HICKS of Massachusetts, Mr. NICHOLS, Mrs. ABZUG, Mr. HARRINGTON, Mr. MORSE, Mr. BINGHAM, Mr. DOW, Mr. PEYSER, Mr. HASTINGS, Mr. HEINZ, Mr. HOWARD, Mr. ALEXANDER, Mr. KYROS, and Mr. LENT):

H.R. 13241. A bill to provide the Secretary of Commerce with the authority to make grants to accredited institutions of higher education to pay for up to one-half of the costs of fire science programs; to the Committee on Sciences and Astronautics.

By Mr. STEELE (for himself, Mr. HALPERN, Mrs. GRASSO, Mr. MADDEN, Mr. THONE, Mr. McDADE, Mr. PIKE, Mrs. HICKS of Massachusetts, Mr. NICHOLS, Mrs. ABZUG, Mr. HARRINGTON, Mr. MORSE, Mr. BINGHAM, Mr. DOW, Mr. PEYSER, Mr. HASTINGS, Mr. HEINZ, Mr. HOWARD, Mr. ALEXANDER, Mr. KYROS, Mr. McCORMACK, Mr. LONG of Maryland, and Mr. LENT):

H.R. 13242. A bill to provide financial aid to local fire departments in the purchase of advanced firefighting equipment; to the Committee on Science and Astronautics.

By Mr. STEELE (for himself, Mr. HALPERN, Mrs. GRASSO, Mr. MADDEN, Mr. THONE, Mr. McDADE, Mr. PIKE, Mrs. HICKS of Massachusetts, Mr. NICHOLS, Mrs. ABZUG, Mr. HARRINGTON, Mr. MORSE, Mr. BINGHAM, Mr. DOW, Mr. PEYSER, Mr. HASTINGS, Mr. HEINZ, Mr. HOWARD, Mr. ALEXANDER, Mr. McCORMACK, Mr. LONG of Maryland, and Mr. LENT):

H.R. 13243. A bill to provide financial aid for local fire departments in the purchase of firefighting suits and self-contained breathing apparatus; to the Committee on Science and Astronautics.

By Mr. STEELE (for himself, Mr. HALPERN, Mrs. GRASSO, Mr. MADDEN, Mr. THONE, Mr. McDADE, Mr. PIKE, Mrs. HICKS of Massachusetts, Mr. NICHOLS, Mrs. ABZUG, Mr. HARRINGTON, Mr. MORSE, Mr. BINGHAM, Mr. DOW, Mr. PEYSER, Mr. HASTINGS, Mr. HEINZ, Mr. HOWARD, Mr. ALEXANDER, Mr. McCORMACK, and Mr. LONG of Maryland):

H.R. 13244. A bill to extend for 3 years the authority of the Secretary of Commerce

to carry out fire research and safety programs; to the Committee on Science and Astronautics.

By Mr. STEELE (for himself, Mr. HALPERN, Mrs. GRASSO, Mr. MADDEN, Mr. THONE, Mr. MCDADE, Mr. PIKE, Mrs. HICKS of Massachusetts, Mr. NICHOLS, Mrs. ABZUG, Mr. HARRINGTON, Mr. MORSE, Mr. BINGHAM, Mr. DOW, Mr. PEYSER, Mr. HASTINGS, Mr. HEINZ, Mr. HOWARD, and Mr. MCCORMACK):

H.R. 13245. A bill to establish a National Fire Data and Information Clearinghouse, and for other purposes; to the Committee on Science and Astronautics.

By Mr. STEELE (for himself, Mr. HALPERN, Mrs. GRASSO, Mr. MADDEN, Mr. THONE, Mr. MCDADE, Mr. PIKE, Mrs. HICKS of Massachusetts, Mr. NICHOLS, Mrs. ABZUG, Mr. HARRINGTON, Mr. MORSE, Mr. BINGHAM, Mr. DOW, Mr. PEYSER, Mr. HASTINGS, Mr. HEINZ, Mr. HOWARD, Mr. MCCORMACK, and Mr. LONG of Maryland):

H.R. 13246. A bill to amend the Flammable Fabrics Act to extend the provisions of that act to construction materials used in the interiors of homes, offices, and other places of assembly or accommodation, and to authorize the establishment of toxicity standards; to the Committee on Interstate and Foreign Commerce.

By Mr. STEELE (for himself, Mr. HALPERN, Mrs. GRASSO, Mr. MADDEN, Mr. THONE, Mr. MCDADE, Mr. PIKE, Mrs. HICKS of Massachusetts, Mr. NICHOLS, Mrs. ABZUG, Mr. HARRINGTON, Mr. MORSE, Mr. BINGHAM, Mr. DOW, Mr. PEYSER, Mr. HASTINGS, Mr. HEINZ, Mr. HOWARD, and Mr. MCCORMACK, and Mr. LENT):

H.R. 13247. A bill to amend the Hazardous Materials Transportation Control Act of 1970 to require the Secretary of Transportation to issue regulations providing for the placarding of certain vehicles transporting hazardous materials in interstate and foreign commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WYMAN:

H.R. 13248. A bill to establish the Board of Visitors to the Federal Prisons, and for other related purposes; to the Committee on the Judiciary.

By Mr. BIAGGI:

H.R. 13249. A bill to amend the Flammable Fabrics Act to extend the provisions of that act to construction materials used in the interiors of homes, offices, and other places of assembly or accommodation, and to authorize the establishment of toxicity standards; to the Committee on Interstate and Foreign Commerce.

H.R. 13250. A bill to amend the Hazardous Materials Transportation Control Act of 1970 to require the Secretary of Transportation to issue regulations providing for the placarding of certain vehicles transporting hazardous materials in interstate and foreign commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 13251. A bill to provide for the creation of the National Fire Academy, and for other purposes; to the Committee on Science and Astronautics.

H.R. 13252. A bill to provide the Secretary of Commerce with the authority to make grants to States, counties, and local communities to pay for up to one-half of the costs of training programs for firemen; to the Committee on Science and Astronautics.

H.R. 13253. A bill to provide financial aid to local fire departments in the purchase of advanced firefighting equipment; to the Committee on Science and Astronautics.

H.R. 13254. A bill to provide financial aid for local fire departments in the purchase of firefighting suits and self-contained breathing apparatus; to the Committee on Science and Astronautics.

H.R. 13255. A bill to establish a National Fire Data and Information Clearinghouse, and for other purposes; to the Committee on Science and Astronautics.

H.R. 13256. A bill to extend for 3 years the authority of the Secretary of Commerce to carry out fire research and safety programs; to the Committee on Science and Astronautics.

H.R. 13257. A bill to amend the tariff and trade laws of the United States to promote full employment and restore a diversified production base; to amend the Internal Revenue Code of 1954 to stem the outflow of U.S. capital, jobs, technology, and production, and for other purposes; to the Committee on Ways and Means.

By Mr. EVINS of Tennessee:

H.R. 13258. A bill to amend the Vocational Education Act of 1963 to provide for the establishment and operation of a vocational school in every county of the United States; to the Committee on Education and Labor.

By Mr. FRASER (for himself, Mr. WOLFF, Mr. YOUNG of Florida, and Mr. RYAN):

H.R. 13259. A bill to require that an additional $4 per month (reflecting post-1970 across-the-board increases in social security and railroad retirement benefits) be passed along to public assistance recipients, either by disregarding such amount in determining their need or otherwise; to the Committee on Ways and Means.

By Mr. LANDGREBE:

H.R. 13260. A bill to amend the Communications Act of 1934 to provide that broadcast licenses shall be granted for an unlimited term; to the Committee on Interstate and Foreign Commerce.

By Mr. MCCLOSKEY:

H.R. 13261. A bill to authorize the Secretary of the Interior to assist the States in controlling damage caused by predatory animals; to establish a program of research concerning the control and conservation of predatory animals; to restrict the use of toxic chemicals as a method of predator control; and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MCFALL:

H.R. 13262. A bill to assist local educational agencies to provide quality education programs in elementary and secondary schools; to the Committee on Education and Labor.

By Mr. ROE:

H.R. 13263. A bill to amend title 38, United States Code, to increase the amount of veterans' benefits for burial and funeral expense allowance from the present $250 to $750; to the Committee on Veterans' Affairs.

By Mr. ROY:

H.R. 13264. A bill to retain November 11 as Veterans Day; to the Committee on the Judiciary.

By Mr. JOHNSON of Pennsylvania:

H.J. Res. 1068. Joint resolution to authorize the President to designate the period beginning March 26, 1972, as "National Week of Concern for Prisoners of War/Missing in Action"; to the Committee on the Judiciary.

By Mr. PRICE of Texas:

H.J. Res. 1069. Joint resolution proposing an amendment to the Constitution of the United States with respect to the attendance of Senators and Representatives at sessions of the Congress; to the Committee on the Judiciary.

By Mr. ROGERS (for himself, Mr. SATTERFIELD, Mr. KYROS, Mr. PREYER of North Carolina, Mr. SYMINGTON, Mr. ROY, Mr. NELSEN, Mr. CARTER, Mr. HASTINGS, and Mr. SCHMITZ):

H.J. Res. 1070. Joint resolution relating to sudden infant death syndrome; to the Committee on Interstate and Foreign Commerce.

By Mr. HELSTOSKI (for himself, Mr. FORSYTHE, Mrs. ABZUG, Mr. ASHLEY, Mr. BADILLO, Mr. BURTON, Mr. CAREY of New York, Mr. DELLUMS, Mr. DOW, Mr. DRINAN, Mr. EDWARDS of California, Mr. FLOWERS, Mr. FRASER, Mr. HALPERN, Mr. HARRINGTON, Mrs. HECKLER of Massachusetts, Mr. KASTENMEIER, Mr. LEGGETT, Mr. MITCHELL, Mr. RANGEL, Mr. REES, Mr. RIEGLE, Mr. ROSENTHAL, Mr. RYAN, and Mr. TIERNAN):

H. Con. Res. 537. Concurrent reoslution providing for the recognition of Bangladesh; to the Committee on Foreign Affairs.

By Mr. MINISH:

H. Con. Res. 538. Concurrent resolution expressing the sense of the Congress with respect to the current situation in Northern Ireland; to the Committee on Foreign Affairs.

By Mr. MURPHY of Illinois:

H. Con. Res. 539. Concurrent resolution expressing the sense of the Congress with respect to the current situation in Northern Ireland; to the Committee on Foreign Affairs.

By Mr. NIX:

H. Con. Res. 540. Concurrent resolution requesting the President of the United States to take affirmative action to persuade the Soviet Union to revise its official policies concerning the rights of Soviet Jewry; to the Committee on Foreign Affairs.

By Mr. EDMONDSON:

H. Res. 818. Resolution congratulating Pawhuska, Okla., on being the home of the first Boy Scout Troop organized in the United States of America; to the Committee on the Judiciary.

By Mr. O'NEILL:

H. Res. 819. Resolution to create a special committee to investigate campaign expenditures; to the Committee on Rules.

By Mr. SEIBERLING (for himself, Mrs. ABZUG, Mr. BINGHAM, Mr. BURTON, Mr. DANIELSON, Mr. DOW, Mr. DRINAN, Mr. EDWARDS of California, Mr. FRASER, Mrs. GRASSO, Mr. GUDE, Mr. HALPERN, Mr. HARRINGTON, Mr. KYROS, Mr. LEGGETT, Mr. MCCLOSKEY, Mr. MATSUNAGA, Mr. METCALFE, Mr. MITCHELL, Mr. MOORHEAD, Mr. RANGEL, Mr. REES, Mr. REID, Mr. ROSENTHAL, and Mr. RYAN):

H. Res. 820. Resolution expressing the sense of the House that the United States should recognize Bangladesh; to the Committee on Foreign Affairs.

By Mr. SEIBERLING (for himself, Mr. SCHEUER, Mr. SCHWENGEL, Mr. SISK, Mr. STEELE, Mr. VANIK, and Mr. CHARLES H. WILSON):

H. Res. 821. Resolution expressing the sense of the House that the United States should recognize Bangladesh; to the Committee on Foreign Affairs.

By Mr. THOMPSON of New Jersey:

H. Res. 822. Resolution to provide funds for the Committee on the Judiciary; to the Committee on House Administration.

H. Res. 823. Resolution providing for expenses of conducting studies and investigation authorized by House Resolution 109; to the Committee on House Administration.

H. Res. 824. Resolution to provide funds for the expenses of the investigations and studies authorized by House Resolution 243; to the Committee on House Administration.

H. Res. 825. Resolution to provide funds for the expenses of the investigations and studies authorized by House Resolution 5 and House Resolution 19; to the Committee on House Administration.

H. Res. 826. Resolution to provide funds for the second session, Ninety-second Congress, for the expenses of the investigations and studies authorized by House Resolution 217; to the Committee on House Administration.

H. Res. 827. Resolution to provide funds for the expenses of the investigations and studies

authorized by House Resolution 18; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII,

313. The SPEAKER presented a memorial of the Legislature of the State of Wisconsin, relative to procedures for calling constitutional conventions; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DUNCAN:

H.R. 13265. A bill for the relief of Dell Sin-Cheung Lau and his wife, Cheung Goo Yar Lau; to the Committee on the Judiciary.

By Mr. STEIGER of Arizona:

H.R. 13266. A bill for the relief of Maurice Marchbanks; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

191. By the SPEAKER: Petition of Bui Phuong Quan, Saigon, Vietnam, relative to a concession contract in Vietnam; to the Committee on Armed Services.

192. Also petition of the mayor and council of the Borough of Haworth, N.J., relative to the expansion of the Bergen County Sewer Authority plant; to the Committee on Public Works.

SENATE—*Thursday, February 17, 1972*

The Senate met at 12 o'clock meridian and was called to order by Hon. GAYLORD NELSON, a Senator from the State of Wisconsin.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, the source of our strength and the guide of our destiny, grant journeying mercies to the President of the United States. Endue him with a measure of Thy grace that he may be both wise and strong. Impart to all who confer and to all who advise the spirit of conciliation and friendship and good will. Hold all consultations under the light of truth and the vision of peace with justice and liberty. May the leaders of all nations concert their best efforts for that understanding and concord which leads to the promised era when men study war no more and all their ways are the peaceable ways of Thy kingdom.

While others labor abroad, keep us diligent and faithful in our tasks at home. And to Thee shall be the everlasting praise and thanksgiving. Amen.

DESIGNATION OF THE ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. ELLENDER).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., February 17, 1972.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. GAYLORD NELSON, a Senator from the State of Wisconsin, to perform the duties of the Chair during my absence.

ALLEN J. ELLENDER,
President pro tempore.

Mr. NELSON thereupon took the chair as Acting President pro tempore.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTIONS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolutions:

On February 15, 1972:

S. 959. An act to designate the Pine Mountain Wilderness, Prescott and Tonto National Forest, in the State of Arizona;

S. 1838. An act to amend the provisions of the Perishable Agricultural Commodities Act, 1930, relating to practices in the marketing of perishable agricultural commodities;

S. 2672. An act to permanently exempt potatoes for processing from marketing orders;

S.J. Res. 196. Joint resolution extending the date for transmission to the Congress of the report of the Joint Economic Committee.

On February 17, 1972:

S.J. Res. 153. Joint resolution to designate the week which begins on the first Sunday in March 1972, as "National Beta Club Week".

EXECUTIVE MESSAGES REFERRED

As in executive session, the Acting President pro tempore (Mr. NELSON) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of Senate proceedings.)

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, February 16, 1972, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider nominations on the executive calendar.

There being no objection, the Senate proceeded to the consideration of executive business.

The ACTING PRESIDENT pro tempore. The nominations on the executive calendar will be stated.

U.S. DISTRICT COURTS

The second assistant legislative clerk read the nomination of Wilbur D. Owens, Jr., of Georgia, to be a U.S. district judge for the middle district of Georgia.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

DEPARTMENT OF JUSTICE

The second assistant legislative clerk read the nominations in the Department of Justice, as follows:

Wilbur H. Dillahunty, of Arkansas, to be U.S. attorney for the eastern district of Arkansas for the term of 4 years.

William D. Keller, of California, to be U.S. attorney for the central district of California for the term of 4 years.

Harold Hill Titus, Jr., of Washington, D.C., to be U.S. attorney for the District of Columbia for the term of 4 years.

Ermen J. Pallanck, of Connecticut, to be U.S. marshal for the district of Connecticut for the term of 4 years.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the distinguished Senator from Illinois (Mr. PERCY) is now recognized for not to exceed 15 minutes.